

BEFORE AN EXPERT CONSENTING PANEL

IN THE MATTER of the Fast-track Approvals Act 2024 (**FTAA**)

AND

IN THE MATTER of a substantive application by the NZ Transport Agency (**NZTA**) for approvals for the North West Rapid Transit (**NWRT**) Project

**MEMORANDUM OF COUNSEL FOR AUCKLAND COUNCIL ATTACHING
UPDATED DRAFT DESIGNATION AND RESOURCE CONSENT CONDITIONS**

Dated: 8 July 2026

Matthew Allan
Partner
allan@brookfields.co.nz
Telephone No. 09 979 2128
P O Box 240
DX CP24134
AUCKLAND

BROOKFIELDS
LAWYERS

MAY IT PLEASE THE PANEL:

1. We act for the Auckland Council (**Council**) in relation to the substantive application by the NZTA for the NWRT Project under the FTAA.
2. As the Panel is aware, the Council and NZTA have been engaging in constructive facilitated discussions in recent weeks. A separate joint memorandum of counsel for NZTA and Council is being filed today attaching an updated table recording the outcomes of the discussions.
3. One agreed outcome of the discussions is that the Council would file its tracked designation and resource consent conditions, representing its updated position following the facilitated discussions today (and prior to NZTA filing its response to comments):
 - (a) Council's updated draft designation conditions are attached as **Annexure A** to this memorandum. The changes in this document are tracked against the version of the amended designation conditions set out at Appendix 1 to the Memorandum of Planning Matters for Auckland Council dated 2 June 2026. New changes are highlighted in **turquoise**.
 - (b) Council's updated draft resource consent conditions are attached as **Annexure B** to this memorandum. The changes in this document are tracked against the NZTA's proposed conditions as lodged.¹
4. Brief explanations have been included in places to assist the Panel, as well as notes as to whether changes are agreed with NZTA or not.² As noted in the parties' separate joint memorandum, detailed reasons for all positions have not been provided at this stage, and the Panel may be assisted by expanded detail in due course.
5. As the explanatory note included at the beginning of the Council's updated designation conditions records (**Annexure A**), a collaborative engagement process and way of working over the life of the Project has been agreed between the Council and NZTA, including in relation to design and open

¹ For the avoidance of doubt, this set of conditions replaces the 'raw' consent conditions attached as Attachment 2 to the parties' joint memorandum of 26 June 2026 (which was tabled as an aid to facilitated discussions).

² The Panel will be able to refer to the table at Attachment 1 to the joint memorandum of today's date for a record of the areas of agreement / disagreement.

spaces matters. This agreed approach has informed the Council's updated position on conditions.

6. Finally, counsel draw the Panel's attention to the 'Groundwater conditions' placeholder on page 15 of the resource consent conditions (**Annexure B**), where there is a note: "[To be drafted / included]". The accompanying comment box expands on the reason for this as follows:

There remains a difference in opinion between the specialists re the methodology for determining settlement effects, and sufficiency of information. Council considers conditions are needed, but that it's premature to settle them absent further information etc. Conditions are likely to include, but not be limited to, a Ground Settlement Monitoring & Contingency Plan condition.

7. The Council would be happy to answer any questions the Panel may have arising from the attached amended conditions.

DATED the 8th day of July 2026



Matt Allan / Rowan Ashton
Counsel for Auckland Council

ANNEXURE A

Updated Draft Designation Conditions

Attachment X: AC specialist recommendations/amendments to NZTA Proposed conditions dated 28 April 2026

AC specialist recommendations are in red text with amendments or new conditions shown as either strikethrough or underlined.

AC recommendations as at 8.7.2026 following facilitated discussions with NZTA are shown in turquoise strikethrough or underlined.

Te Ara Hauāuru Northwest Rapid Transit Project – Proposed Designation Conditions

Purpose

The purpose of the designation is to construct, operate, maintain, and improve a rapid transit corridor, and ancillary structures, works and activities.

Referencing

[For reference only – conditions will be split into 12 separate sets before being included in the AUP].

Notice of Requirement(s) overview

Reference	Notice of Requirement(s)
NoR 1	Busway between Brigham Creek Rarawaru station and Westgate Te Waiarohia station
NoR 2	Busway between Westgate Te Waiarohia station and Royal Road Mānutewhau station
NoR 3	Busway between Royal Road Mānutewhau station and Te Whau River
NoR 4	Brigham Creek Rarawaru station and Park and Ride
NoR 5	Westgate Te Waiarohia station
NoR 6	Royal Road Mānutewhau station
NoR 7	Lincoln Road Wai o Pareira station
NoR 8	Te Atatū Ōrangihina station
NoR 9	Busway between Waterview Interchange and Western Springs
NoR 10	Busway between Western Springs and Ian McKinnon Drive
NoR 11	Point Chevalier station
NoR 12	Western Springs station

Definitions

The table below defines the acronyms and terms used in the designation conditions. Defined terms are capitalised.

Acronyms and defined terms

Acronym/term	Definition/meaning
AUP	Auckland Unitary Plan
BPO	Means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to: (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects (b) the financial implications, and the effects on the environment, of that option when compared with other options (c) the current state of technical knowledge and the likelihood that the option can be successfully applied
CNVMP	Construction Noise and Vibration Management Plan
Completion of Construction	When construction of the Project (or part of the Project) is complete and it is available for use
CTMP	Construction Traffic Management Plan
Council	Auckland Council

Attachment X: AC specialist recommendations/amendments to NZTA Proposed conditions dated 28 April 2026

AC specialist recommendations are in red text with amendments or new conditions shown as either strikethrough or underlined.

AC recommendations as at 8.7.2026 following facilitated discussions with NZTA are shown in turquoise strikethrough or underlined.

Acronym/term	Definition/meaning
Manager	The Manager – Resource Consents of Council, or authorised delegate
MHWS	Mean High Water Spring
NoR	Notice of Requirement
OSCMP	Open Space Construction Management Plan
OSMP	Open Space Mitigation Plan
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA
Particularly Vibration Sensitive building	(a) Former ASB building (AUP Scheduled Heritage Building 2798), 1210 Great North Road, Point Chevalier (Fee Simple, 1/1, Part Lot 16 Deposited Plan 2300) (b) Ambassador Theatre (AUP Scheduled Heritage Building 1680), 1218-1220 Great North, Point Chevalier (Fee Simple, 1/1, Part Lot 2 Deposited Plan 21452 and Part Lot 1 Deposited Plan 9064)
Project	Te Ara Hauāuru Northwest Rapid Transit
Requiring Authority	NZ Transport Agency
RMA	Resource Management Act 1991
SEA	Significant Ecological Area
SEQEP	Suitably Qualified Person. A suitably qualified and experienced person, being a person who can provide sufficient evidence to demonstrate their suitability and competence.
UDLMP	Urban and Landscape Design Management Plan
WWMP	Water and Wastewater Management Plan

Commented [A1]: Consequential change.

Commented [A2]: Agreed with NZTA. Amended definition draws on definition in Chapter J1 of AUP

Commented [A3]: Consequential change.

Explanatory note concerning design process and open space management

(a) The project's urban and landscape design and open space aspects are to be addressed through two complementary mechanisms operating over the life of the project:

(i) The first is a collaborative engagement process and way of working agreed between the Requiring Authority and Auckland Council in relation to design, open space and other matters.

(ii) The second is the designation conditions. Broadly, each outline plan of works is to be accompanied by a form and landscape statement articulating the design decisions reflected in that lodgement. Other conditions also address design-related matters, including the condition requiring Crime Prevention Through Environmental Design (CPTED) and a height in relation to boundary condition. There is also a discrete condition addressing the maintenance of public access through open space as far as practicable.

(b) Together, these mechanisms provide an integrated approach: early and ongoing collaboration informs each stage, and the form and landscape statement lodged with each outline plan of works records the resulting design decisions made by the Requiring Authority, to help inform the Council's consideration of each outline plan of works.

(c) This note is explanatory only. The enforceable requirements are in the designation conditions.

Commented [A4]: Self-explanatory note. Not agreed with NZTA.

Proposed conditions

Proposed conditions

NoR number	Condition number	Condition
ALL	1.	Lapse The designation shall lapse if not given effect to within 25 years from the date on which it is included in the AUP.
1, 2, 3, 9 and 10	2.	Primary Designation (Augier condition) This designation must-shall be considered as the primary (earlier) designation where it overlaps with designation [insert relevant station designation number].
ALL	3.	Outline Plan(s) and Management Plans (a) Outline Plan(s) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or to reflect the staged implementation of the Project. (b) Outline Plans must-shall include any management plan or plans that are relevant to the management of effects of those activities or stage of work, unless otherwise stated below, which may include: (i) Construction Noise and Vibration Management Plan (ii) Built Heritage Construction Management Plan [NoR 9 and 11 only] (iii) Tree Protection Methodology [NoR 9 and 10 only] (iv) Water and Wastewater Management Plan. (v) Open Space Construction Management Plan (vi) Open Space Mitigation Plan (vii) Urban and Landscape Design Management Plan
ALL	4.	Conditions following Completion of Construction Following Completion of Construction, all conditions except Condition 37 cease to have an effect and do not apply to any subsequent work associated with on-going operation and maintenance of the Project.
PRE CONSTRUCTION CONDITIONS		
1, 2, 4 and 5	5.	Cultural Values (Augier condition) The Requiring Authority must-shall engage with Te Kawerau ā Maki and Ngāti Whātua o Kaipara during detailed design to identify how their cultural values will be reflected in the Project.
3, 6, 7 and 8	6.	Cultural Values (Augier condition) The Requiring Authority must-shall engage with Te Kawerau ā Maki during detailed design to identify how their cultural values will be reflected in the Project.
9, 10, 11 and 12	7.	Cultural Values (Augier condition) The Requiring Authority must-shall engage with Ngāti Whātua Ōrākei, Te Ākitai Waiohū and Ngaati Te Ata Waiohū during detailed design to identify how their cultural values will be reflected in the Project.
ALL	8.	Flood Hazard For the purposes of Condition 9 (a) Danger Rating means low (green), moderate (yellow) or high (red) danger rating determined in accordance with Error! Reference source not found.

Commented [A5]: Agreed with NZTA.

Commented [A6]: Not agreed by NZTA.

Commented [A7]: Consequential change.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(b) Building/s means any <u>residential, commercial, or community building that has been lawfully established, or is authorised by a relevant building consent or resource consent, at the time the Outline Plan is submitted. Sheds, garages, and other ancillary buildings are excluded lawfully established residential, commercial or community building, which exists at the time the Outline Plan is submitted, and excludes sheds, garages and other ancillary buildings.</u> (c) Maximum Probable Development is the maximum impervious area permitted in the current zone/s in the AUP or, 70% impervious area if the land is zoned Future Urban in the AUP. (d) Pre-Project Development means the Maximum Probable Development at the time the Outline Plan is submitted. (e) Project Development means the Pre-Project Development and the Project.
ALL	9.	(f) The Project <u>must-shall</u> be designed so that it does not cause the following beyond the Designation: (i) An increase in Danger Rating; and (ii) Either: (A) A more than 50mm increase in flood level on land parcels with Building(s) and a Low Danger Rating; or (B) A more than 100mm increase in flood level on: I. land parcels with no Building(s) present II. land parcels with Building(s) and a Moderate or High Danger Rating <u>Land</u> <u>(iii) Where the diversion and discharge of stormwater runoff is to the reticulated public stormwater network:</u> <u>(A) No new/additional habitable floor affected by flooding in 1% AEP event and no increase in frequency of increased flooding</u> <u>(B) No significant increase in the risk to the operation and structural integrity of other infrastructure in 1% AEP event</u> <u>(C) No increase in inundation that affects a building on a property in 10% AEP</u> <u>(D) No loss in overland flow path capacity, unless otherwise provided by other means</u> <u>Advice note:</u> <u>Where the requirements of 9(a)(iii)(A) to (D) cannot be met, a Stormwater Management Plan that includes supporting information to justify an alternative as a BPO for the given project is required to be provided to Auckland Council Healthy Waters and Flood Resilience for certification.</u> <u>Advice Note:</u> <u>Where the diversion and discharge of stormwater runoff is to the reticulated public stormwater network, it must comply with the requirements of Auckland Council Healthy Waters & Flood Resilience Regionwide Network Discharge Consent.</u> (g) Compliance with (a) <u>must-shall</u> be demonstrated through flood modelling: (i) To show the difference in the 1% Annual Exceedance Probability (AEP) flood levels for Pre-Project Development and Project Development; (ii) Using 332mm for the 24 hour rainfall depth that includes a 3.8 degree Celsius increase in temperature for climate change; and (iii) Undertaken by a SQP. (h) The Requiring Authority does not need to comply with (a) if the relevant landowner agrees to an alternative approach. (i) In the Outline Plan, the Requiring Authority <u>must-shall</u>: (i) demonstrate how (a) will be complied with by reference to flood modelling undertaken in accordance with (b); or (ii) provide confirmation of any written agreement secured to reflect landowner agreement pursuant to (c) above.

Commented [A8]: Agreed with NZTA, except for words "or resource consent"

Commented [A9]: Agreed with NZTA.

Commented [A10]: NZTA not in agreement.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
9	10.	Supermarket Access – 1136 Great North Road, Point Chevalier For the purposes of Condition 11 and Condition 12: (a) Supermarket means the supermarket located at 1136 Great North Road, Point Chevalier, being Lot 1-2 Deposited Plan 390127 and Lot 4 Deposited Plan 14537 and Lot 3 Deposited Plan 99933. (b) Supermarket loading zone means the area shown on Error! Reference source not found. (c) Delivery Vehicle(s) means a 23m HPMV B-train and a 19.5m HPMV semi-trailer (d) Manoeuvrability means compliance with RTS-18 New Zealand on-road tracking curves for heavy motor vehicles with a 12.5m radius of turn.
9	11.	(e) The Requiring Authority must-shall design the Project so that: (i) there is a permanent vehicle access point for Delivery Vehicles from Parr Road North to the Supermarket loading zone that complies with the Auckland Transport – Transport Design Manual (TDM) standard engineering details for a commercial vehicle crossing as at the time of designation; and (i) manoeuvrability for Delivery Vehicles is achieved from the permanent vehicle access point on Parr Road North to the Supermarket loading zone.
9	12.	(f) The Requiring Authority must-shall consult with the operator of the Supermarket when preparing the relevant CTMP required by Condition 16. (g) During Project construction, the Requiring Authority must-shall : (i) As far as practicable, maintain vehicle access and manoeuvrability for Delivery Vehicles from Parr Road North to the Supermarket loading zone between 3am-10pm, 7 days a week. (ii) Where it is not practicable to comply with (i) above: (A) minimise the duration of disruption to Delivery Vehicles. (B) provide the operator of the Supermarket with at least 3 weeks' notice in writing, except in the case of an unforeseen emergency.
2	13.	Supermarket Access – Woolworths Westgate Shopping Centre For the purposes of Condition 14 and Condition 15: (a) Supermarket means the supermarket located at Westgate Shopping Centre, Westgate and Fernhill Drive, being Section 2 Survey Office Plan 561132. (b) Supermarket loading zone means the area shown on Schedule [TBC]. (c) Delivery Vehicle(s) means [TBC]. (d) Manoeuvrability means compliance with RTS-18 New Zealand on-road tracking curves for heavy motor vehicles with a 12.5m radius of turn.
2	14.	(e) The Requiring Authority must-shall consult with the owner of the Supermarket when designing the Project in relation to a permanent vehicle access point for Delivery Vehicles from Maki Street to the Supermarket loading zone.
2	15.	(f) The Requiring Authority must-shall consult with the operator of the Supermarket when preparing the relevant CTMP required by Condition 16. (g) During Project construction, the Requiring Authority must-shall : (i) As far as practicable, maintain vehicle access and manoeuvrability for Delivery Vehicles from Maki Street to the Supermarket loading zone between [TBC] (ii) Where it is not practicable to comply with (i) above: (A) minimise the duration of disruption to Delivery Vehicles. (B) provide the operator of the Supermarket with at least 3 weeks' notice in writing, except in the case of an unforeseen emergency.
ALL	15B	Crime Prevention through Environmental Design The Requiring Authority must design the Project to provide for personal safety by taking into account the National Guidelines for Crime Prevention through Environmental Design in New Zealand (November 2005), or any subsequent version.

Commented [A11]: Conditions 15B-D are proposed by AC as a package alongside amendments to condition 26 and agreed collaborative approach between NZTA and AC described in the explanatory note. This package is proposed by AC in lieu of the ULDMP and PCF condition suites. The drafting is not agreed by NZTA.

NoR number	Condition number	Condition
1.2.3	15C	Height in relation to boundary (a) Except as excluded below or as agreed with Council, the Requiring Authority must design any building(s) so that it does not exceed a height of 3 metres measured vertically from the ground level at the designation boundary where such boundary adjoins a Residential Zone. Thereafter, any part of the building(s) must be set back 1 metre for every metre in height (45 degrees). (b) The height in relation to boundary restriction in (a) does not apply: - Where the designation boundary is to the south of land zoned residential; - To gantries, signs, lighting, noise barriers and other similar ancillary structures.
ALL	15D	Form and Landscaping Statement (a) The Requiring Authority must prepare a Form and Landscaping Statement to be submitted with the relevant outline plan(s) for each stage of work. The objective of the Form and Landscaping Statement is to: - Describe how the design of the permanent Project works has, as far as practicable, addressed the interface with the immediately adjoining environment; - To achieve the objective, the Form and Landscaping Statement is to provide a summary description of how the design of the permanent Project works for that stage of work has approached: - the height, shape, and bulk of major structures - including stations, bridges, underpasses, retaining walls and noise barriers, where relevant; - any walking and cycling connections with the adjacent network; - the likely finished contour – including the extent and angle of batter slopes; - vehicular access, circulation, and provision for parking – including station access, pick-up / drop-off areas, park and ride (NoR 1 and 4 Brdham Creek Station only); - the landscaping - including the location of any planting that is required under condition 26 Landscape Planting; and - the interface with adjacent land use including open space zones. Advice note During development of detailed design for the Project, the Requiring Authority will work collaboratively with Auckland Council when considering the above matters. The Form and Landscaping Statement will be informed by that work.
CONSTRUCTION CONDITIONS		
ALL	16.	Construction Traffic Management Plan (CTMP) (h) The CTMP must shall be prepared prior to the start of construction works and must shall be provided to the Manager for information. The objective of the CTMP is to appropriately manage any adverse traffic safety and efficiency impacts on other road users caused by the Project. (i) To achieve this objective, the CTMP must shall include: - Methods to manage the effects of temporary traffic management activities on the network; - Measures to manage the safety of all transport users; - The estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic congestion near schools or to manage traffic congestion. - Site access routes for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;

Commented [A12]: Changes to this condition agreed with NZTA.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition												
		(v) Identification of detour routes and other methods for the safe management and maintenance of traffic flows, including public transport, pedestrians and cyclists; (vi) Measures to maintain the function of the existing North-Western Shared User Path to a reasonable level of service, to the extent that is reasonably practicable, and where this is not practicable, provide safe detour routes that provide a reasonable level of service (vii) (vii.a) Measures to maintain the function of Public Transport services to a reasonable level of service, to the extent that is reasonably practicable, and where this is not practicable, provide safe detour routes that provide a reasonable level of service. This shall include: 1. Maintaining two-way bus movements on the Carrington Road bridge through the construction period. (viii) Measures to maintain access, to and to-and from-and within properties and/or private roads where practicable, or to provide alternative arrangements when it will not be, including details of how access is managed for loading and unloading of goods, rubbish collection, and mail/courier deliveries; (ix) The management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; (x) Methods that will be undertaken to communicate traffic management measures to affected road users; (xi) Details of minimum network performance parameters during the construction phase including: A. consideration of construction sequencing of the Project and other concurrent construction of infrastructure projects within SH16 or adjacent arterial roads; and B. any measures to monitor compliance with the performance parameters and and. This shall include consideration of construction sequencing within individual work packages, and coordination with other work packages within the Project and with other concurrent projects in the area. (xii) Details of any measures proposed to be implemented in the event of minimum network performance parameters identified in Condition 16(b)(x) above being exceeded. (xiii) Auditing, monitoring and reporting relating to traffic management activities shall be undertaken in accordance with the requirements of the Road Controlling Authority.												
ALL	OPc1	Open space – access The Requiring Authority must maintain safe and clearly identifiable public access (walking and cycling) through affected open space available for use during construction, as far as practicable. Such access must seek to minimise significant detours.												
ALL	TRAFC1	Existing Property Access Prior to submission of the Outline Plan, consultation must be undertaken by the Requiring Authority with landowners and occupiers whose vehicle access to their property will be altered by the project. The Outline Plan must demonstrate how safe reconfigured or alternate access will be provided.												
ALL	17.	Construction Noise (j) Construction noise must-shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and must-shall comply with the noise standards set out in Table 1 as far as practicable. Table 1: Construction noise standards <table><tr><th>Time of week</th><th>Time period</th><th>dB LAeq</th><th>dB LAFmax</th></tr><tr><td colspan="4">Activities sensitive to noise</td></tr><tr><td>Weekdays</td><td>0630-0730</td><td>55</td><td>75</td></tr></table>	Time of week	Time period	dB LAeq	dB LAFmax	Activities sensitive to noise				Weekdays	0630-0730	55	75
Time of week	Time period	dB LAeq	dB LAFmax											
Activities sensitive to noise														
Weekdays	0630-0730	55	75											

Commented [A13]: Condition agreed by NZTA.

Commented [A14]: Parties agree this condition is not needed.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition																																															
		<table><tr><td rowspan="3"></td><td>0730-1800</td><td>70</td><td>85</td></tr><tr><td>1800-2000</td><td>65</td><td>80</td></tr><tr><td>2000-0630</td><td>45</td><td>75</td></tr><tr><td rowspan="4">Saturdays</td><td>0630-0730</td><td>45</td><td>75</td></tr><tr><td>0730-1800</td><td>70</td><td>85</td></tr><tr><td>1800-2000</td><td>45</td><td>75</td></tr><tr><td>2000-0630</td><td>45</td><td>75</td></tr><tr><td rowspan="4">Sundays and public holidays</td><td>0630-0730</td><td>45</td><td>75</td></tr><tr><td>0730-1800</td><td>55</td><td>85</td></tr><tr><td>1800-2000</td><td>45</td><td>75</td></tr><tr><td>2000-0630</td><td>45</td><td>75</td></tr><tr><td colspan="4">All other buildings occupied during the works</td></tr><tr><td rowspan="2">All days</td><td>0730-1800</td><td>70</td><td>N/A</td></tr><tr><td>1800-0730</td><td>75</td><td>N/A</td></tr></table>		0730-1800	70	85	1800-2000	65	80	2000-0630	45	75	Saturdays	0630-0730	45	75	0730-1800	70	85	1800-2000	45	75	2000-0630	45	75	Sundays and public holidays	0630-0730	45	75	0730-1800	55	85	1800-2000	45	75	2000-0630	45	75	All other buildings occupied during the works				All days	0730-1800	70	N/A	1800-0730	75	N/A
	0730-1800	70		85																																													
	1800-2000	65		80																																													
	2000-0630	45	75																																														
Saturdays	0630-0730	45	75																																														
	0730-1800	70	85																																														
	1800-2000	45	75																																														
	2000-0630	45	75																																														
Sundays and public holidays	0630-0730	45	75																																														
	0730-1800	55	85																																														
	1800-2000	45	75																																														
	2000-0630	45	75																																														
All other buildings occupied during the works																																																	
All days	0730-1800	70	N/A																																														
	1800-0730	75	N/A																																														
		(k) Where compliance with the noise standards set out in Table 1 is not practicable, the methodology in Condition 20 <u>must-shall</u> apply.																																															
ALL	18.	Construction Vibration Criteria (l) Construction vibration <u>must-shall</u> be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and <u>must-shall</u> comply with the Category A vibration standards set out in Table 2 as far as practicable and <u>must-shall</u> comply with the Category B day time criteria. <table><tr><th>Receiver</th><th>Location</th><th>Details</th><th>Category A</th><th>Category B</th></tr><tr><td rowspan="2">Occupied sensitive use buildings *</td><td rowspan="2">Inside the building</td><td>2000-0630</td><td>0.3mm/s ppv</td><td>1mm/s ppv</td></tr><tr><td>0630-2000</td><td>1mm/s ppv</td><td>5mm/s ppv</td></tr><tr><td>Other occupied buildings</td><td>Inside the building</td><td>0630-2000</td><td>2mm/s ppv</td><td>5mm/s ppv</td></tr><tr><td>Any buildings identified as Particularly Vibration Sensitive</td><td>Inside the building</td><td>As per relevant use above</td><td>As per relevant use above</td><td>2.5 mm/s ppv</td></tr><tr><td rowspan="2">All other buildings</td><td rowspan="2">Building foundation</td><td>Vibration – transient</td><td rowspan="2">5mm/s ppv</td><td>BS 5228-2 Table B.2</td></tr><tr><td>Vibration - continuous</td><td>BS 5228-2 50% of Table B.2 values</td></tr></table> <i>* BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – part 2: Vibration'</i> (m) Where compliance with the vibration standards set out in Table 2 is not practicable, the methodology in Condition 20 <u>must-shall</u> apply.	Receiver	Location	Details	Category A	Category B	Occupied sensitive use buildings *	Inside the building	2000-0630	0.3mm/s ppv	1mm/s ppv	0630-2000	1mm/s ppv	5mm/s ppv	Other occupied buildings	Inside the building	0630-2000	2mm/s ppv	5mm/s ppv	Any buildings identified as Particularly Vibration Sensitive	Inside the building	As per relevant use above	As per relevant use above	2.5 mm/s ppv	All other buildings	Building foundation	Vibration – transient	5mm/s ppv	BS 5228-2 Table B.2	Vibration - continuous	BS 5228-2 50% of Table B.2 values																	
Receiver	Location	Details	Category A	Category B																																													
Occupied sensitive use buildings *	Inside the building	2000-0630	0.3mm/s ppv	1mm/s ppv																																													
		0630-2000	1mm/s ppv	5mm/s ppv																																													
Other occupied buildings	Inside the building	0630-2000	2mm/s ppv	5mm/s ppv																																													
Any buildings identified as Particularly Vibration Sensitive	Inside the building	As per relevant use above	As per relevant use above	2.5 mm/s ppv																																													
All other buildings	Building foundation	Vibration – transient	5mm/s ppv	BS 5228-2 Table B.2																																													
		Vibration - continuous		BS 5228-2 50% of Table B.2 values																																													
All	19.	Construction Noise and Vibration Management Plan (n) The Requiring Authority <u>must-shall</u> engage a SQP to prepare CNVMP prior to the start of construction. (o) The objective of the CNVMP is to identify:																																															

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(i) How Conditions 17 and 18 will be achieved; and (ii) The Best Practicable Option for managing construction noise and vibration effects where compliance with Conditions 17 and 18 cannot practicably be achieved. (p) The CNVMP must-shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' and shall, as a minimum, address: (i) description of the works and anticipated equipment/processes; (ii) hours of operation, including times and days when construction activities would occur; (iii) the construction noise and vibration criteria identified in Conditions 17 and 18; (iv) identification of receivers where noise and vibration criteria apply; (v) a hierarchy of management and mitigation options (vi) methods and frequency for monitoring and reporting on construction noise and vibration; (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) contact details of a project liaison person; (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) procedures and requirements for the preparation of a Schedule to the CNVMP in accordance with Condition 20; (xi) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; (xii) identify all buildings considered Particularly Vibration Sensitive. If the Ambassador Theatre is able to be retained in part or intact, then it must be considered as Particularly Vibration Sensitive as set out in Condition 18 Table 2 above; (xiii) methodology and programme of desktop and field audits and inspections to be undertaken so that that the CNVMP, Schedules and the best practicable option for management of effects are being implemented; and (xiv) requirements for review and update of the CNVMP.
All	20.	Schedule to a CNVMP (q) A Schedule to the CNVMP (Schedule) must-shall be prepared by a SQP prior to the start of construction for an activity to which it relates, in consultation with the owners and occupiers of sites subject to the Schedule, when: (i) construction noise is either predicted or measured to exceed the noise standards in Condition 17; or (ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 18. (r) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. (s) To achieve the objective, the Schedule must include details such as: (i) Construction activity location, start and finish times; (ii) the nearest neighbours to the construction activity; (iii) the predicted noise and/or vibration for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 17 and 18 and the predicted duration of the exceedance; (iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime; (v) the proposed mitigation options that have been selected, and any mitigation options that have been discounted as being impracticable and the reasons why;

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(vi) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vii) location, times and types of monitoring. (t) The Schedule must shall be submitted to the Manager for information at least five working days (except in unforeseen circumstances) in advance of the start of construction that are covered by the scope of the Schedule. (u) Where material changes are made to a Schedule required by this condition, the Requiring Authority must shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (d) above.
9 and 11	21.	Built Heritage – Commercial Building, Ambassador Theatre and Fisheries Building (Point Chevalier) RECOMMENDED DELETION (a) To the extent practicable, the Requiring Authority shall retain the original building footprints, located at and shown in Schedule C: (i) 1224-1228 Great North Road (Commercial Building) (ii) 1218-1220 Great North Road (Ambassador Theatre) AUP Scheduled Heritage Building 1680, and (iii) 1212-1216 Great North Road (Fisheries Building). (b) If the retention of the original building footprints is not practicable, the Requiring Authority shall undertake building surveys by a SQP to determine whether it is reasonably practicable to retain: (i) part of the buildings including adaptive re-use in the project design; and (ii) AUP-scheduled internal features of the Ambassador Theatre. (c) If the retention of the buildings is not practicable, the Requiring Authority shall: (i) Undertake archival documentation and recording of the Ambassador Theatre (ii) Install interpretive material at the Point Chevalier Station that documents the heritage values of Point Chevalier town centre. (d) The Outline Plan shall set out how the hierarchy of measures in (a) to (c) have been applied. Built Heritage – Commercial Building and Fisheries Building (Point Chevalier) (a) To the extent practicable, the Requiring Authority shall retain the original building footprints, located at and shown in Schedule C: (i) 1224-1228 Great North Road (Commercial Building) (ii) 1212-1216 Great North Road (Fisheries Building) (b) If the retention of the original building footprints is not practicable, the Requiring Authority shall undertake building surveys by a SQP to determine whether it is reasonably practicable to retain part of the buildings including adaptive re-use in the project design (c) If the retention of the buildings is not practicable, the Requiring Authority shall install interpretive material at the Point Chevalier Station that documents the heritage values of Point Chevalier town centre (d) The Outline Plan shall set out how the hierarchy of measures in (a) to (c) have been applied.
9, 11	HERc1	Ambassador Theatre (AUP:OP Schedule 14.1. ID #01680) (a) The Requiring Authority must ensure the following heritage outcomes for the Ambassador Theatre and 1218-1220 Great North Road (AUP Scheduled Heritage Building 1680):

Commented [A15]: AC proposes amended version of NZTA conditions regarding the Commercial Building and Fisheries Building (Point Chevalier).

Commented [A16]: Not agreed with NZTA. (Numbering has been corrected/updated). AC Retains position. Based on the status of the scheduled heritage building a stronger condition is required which does not enable full demolition but provides for partial demolition.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		A. <u>Total or substantial demolition associated with the Northwestern Busway project must not be undertaken on the Ambassador Theatre. If any modification is demonstrated to be necessary for the construction of the busway, the extent of loss must be limited to no more than the southern two vertical bays, encompassing the stage and subfloor areas. Any demolition or modification in this area must only proceed following a detailed heritage investigation confirming the appropriate and justifiable level of intervention.</u> B. <u>If any modification or demolition is required at the rear of the building, the stage and associated structures should be reconstructed in a manner that respects the original design, spatial arrangement, and overall heritage values of the building.</u> C. <u>Identify any non-original additions that may be removed without compromising the building's heritage significance. Original features that must be temporarily removed during works should be carefully reinstated or reused in a way that maintains their authenticity and respects the original design intent.</u> D. <u>Establish a long-term management and protection strategy for the significant heritage elements of the building to ensure their conservation and ongoing maintenance.</u> E. <u>Enhance the heritage values of the place through restorative works—particularly to the front facade—and through interpretive initiatives that communicate the site's heritage significance.</u> F. <u>Undertake archival documentation and recording of the Ambassador Theatre prior to construction commencing.</u> (b) <u>The Outline Plan must set out the measures (A) to (F) have been applied.</u> <u>Fisheries Building</u> G. <u>The Requiring Authority must ensure the following heritage outcomes for the Fisheries Building at 1242-1246 Great North Road:</u> a. <u>Total demolition associated with the Northwestern Busway project must not be undertaken on the Fisheries Building and the Commercial Building. Modifications to the buildings are permitted to enable its adaptive reuse as part of the proposed station development. Any alterations required to accommodate a new use must be designed in a manner that does not compromise the building's heritage values.</u> b. <u>Install interpretive material at the Point Chevalier Station that documents the heritage values of Point Chevalier town centre.</u> H. <u>The Outline Plan must set out how the measures in (A) to (B) have been applied</u> <u>Commercial Building</u> I. <u>The Requiring Authority must ensure the following heritage outcomes for the Commercial Building – 1224 – 1228 Great North Road:</u> J. <u>Total demolition associated with the Northwestern Busway project must not be undertaken on the Commercial Building. Modifications to the building are permitted to enable its adaptive reuse as part of the proposed Busway development. Any alterations required to accommodate a new use must be designed in a manner that does not compromise the building's heritage values.</u> K. <u>Install interpretive material at the Point Chevalier Station that documents the heritage values of Point Chevalier town centre.</u> (b) <u>The Outline Plan must set out how the measures in (A) and (B) have been applied.</u>
9	22.	<u>Built Heritage – Former Chamberlain Park Clubhouse – [RECOMMENDED DELETION]</u> (a) <u>To the extent practicable, the Requiring Authority shall retain the former Chamberlain Park Clubhouse located at 990 Great North Road, Western Springs and shown in Schedule D.</u> (b) <u>If the retention of the building is not practicable, the Requiring Authority shall:</u> (i) <u>Undertake archival documentation and recording of the building</u>

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(ii) Install interpretive material at the Western Springs Station that documents the heritage values of the original Chamberlain Park Golf Course clubhouse and surrounds. (c) The Outline Plan shall set out how the hierarchy of measures in (a) and (b) have been applied.
9	HERc2	<u>Gateway – 956-990 Great North Road (AUP:OP Schedule 14.1. ID #-2554)</u> <u>(a) The Requiring Authority must ensure the following heritage outcomes for the former Chamberlain Park Clubhouse located at 990 Great North Road, Western Springs:</u> A. <u>Total or substantial demolition resulting from the works associated with the Northwestern Busway project must not be undertaken on the former Chamberlain Park Clubhouse or the basalt boundary wall. If modification is demonstrated to be necessary for the construction of the busway, the extent of loss must be limited to no more than the later southern enclosed verandah portion of the building to ensure there are no significant adverse effects on the heritage values of the place. Any modification must be determined only after detailed heritage investigations confirm the appropriate and justifiable level of intervention.</u> B. <u>Any modification or demolition that is required along the southern enclosed verandah portion of the building shall be reconstructed in a manner that respects the original design, spatial arrangement, and overall heritage values of the building.</u> C. <u>Identify any non-original additions that may be removed without compromising the heritage significance of the former Chamberlain Park Clubhouse. Any original features that must be temporarily removed during works should be carefully reinstated or reused in a manner that maintains their authenticity and respects the original design intent.</u> D. <u>Establish a long-term management and protection strategy for the significant heritage elements of both the building and the wall to ensure their conservation and ongoing maintenance.</u> E. <u>Undertake archival documentation and recording of the former Chamberlain Park Clubhouse prior to construction commencing.</u> <u>(b) The Outline Plan must set out how the measures in (A) to (C) (E) have been applied.</u>
10	HERc3	<u>Special Character Building at 36 & 39 King Street and 1 & 3 Partridge Street</u> (a) <u>To the extent practicable, the Requiring Authority must retain the special character buildings at 36 & 39 King Street, and 1 & 3 Partridge Street, Grey Lynn.</u> (b) <u>If retention of the buildings in place is demonstrated to be impracticable, the Requiring Authority must explore and document alternative options, such as:</u> • <u>Temporarily relocating the buildings off-site during the construction process and limiting demolition to the modern structures at the rear of the sites, to enable the retention of buildings that contribute to the character of the area and avoid unnecessary demolition.</u> • <u>Relocating the buildings—particularly those on King Street—to another appropriate location within the Special Character Area so they can be reused, continue to contribute to the context, and remain appreciated.</u> <u>(c) The Outline Plan must set out how the measures in (a) to (b) have been applied.</u>

Commented [A17]: Not agreed with NZTA. While the original draft condition HERc2 already stated support of removing later, non-original additions, AC have amended the condition to be more spatially specific. The removal of the later southern enclosed verandah portion of the building is supported in principle. Overall AC Planners retain their position that the Clubhouse is a significant contributor to the scheduled heritage extent of place (ID #-2554).

Commented [A18]: Not agreed with NZTA.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
9 and 11	23.	Built Heritage Construction Management Plan (d) The Requiring Authority mustshall engage a SQP to prepare a Built Heritage Construction Management Plan prior to the start of construction. The objective of the Built Heritage Construction Management Plan is to identify methods to manage construction effects on the buildings listed in Condition 21 and 22 and adjacent Scheduled Heritage Building [AUP 2798] former ASB Building, 1210 Great North Road, Point Chevalier. (e) The Built Heritage Construction Management Plan mustshall include: (i) Measures to protect retained built heritage buildings from damage during construction, such as barriers and protective screens. (ii) Demolition and deconstruction methods for any heritage buildings not being retained. (iii) Pre- and post- construction works building condition surveys in accordance with the Construction Noise and Vibration Management Plan required by Condition 19 above. (iv) Measures to monitor the buildings during construction works (v) Accidental damage protocols.
ALL	ARCHc1	Archaeology That a Any modification to significant post 1900 historic heritage must be undertaken in accordance with the methodologies outlined in the projects Archaeological Management Plans.
9	24.	Waititiko / Meola Creek, Western Springs – Outstanding Natural Feature RECOMMENDED DELETION The Requiring Authority shall design and construct a bridge structure to cross the Waititiko / Meola Creek, Western Springs within the Outstanding Natural Feature (AUP ID 95). This condition does not restrict piers within the Outstanding Natural Feature. Waititiko / Meola Creek, Western Springs – Outstanding Natural Feature (a) If the Project includes works within the Outstanding Natural Feature (AUP ID 95), the Requiring Authority must design and construct a bridge structure to cross the Waititiko / Meola Creek, Western Springs within that Feature. The bridge structure must not exceed two supporting piers (and any associated scour protection) in the ONF (either two individual piers or two sets of adjacent piers) and must be designed to minimise permanent adverse effects as far as practicable. (b) The Outline Plan(s) must describe the measures that will be implemented during construction to minimise any permanent effects on the ONF. (c) The Requiring Authority must not locate construction laydown areas within the ONF.
9	ONFc1	Waititiko / Meola Creek, Western Springs – Outstanding Natural Feature (a) A Construction Management Plan (CMP) must be prepared for each stage of work that affects the Waititiko / Meola Creek and estuary Outstanding Natural Feature (ONF ID 95) and submitted with the relevant Outline Plan. The path of the stream may have changed and continue to change from when the ONF Overlay was enacted. The CMP must demonstrate that works will avoid effects on the Waititiko / Meola Creek whether or not it follows the shape of the ONF Overlay at the time of works. (b) The CMP must also demonstrate that works will avoid effects on the basalt lava flows that are the basis on which the Waititiko / Meola Creek is protected as an Outstanding Natural Feature. The CMP must include how construction methods and design will avoid effects on the Waititiko / Meola Creek and estuary and associated lava flows. This includes the location and design of the pier(s) to be located at or adjacent to the Waititiko / Meola Creek and the location and volume of earthworks required to construct the pier(s). (c) Designing the CMP requires an assessment from a suitably qualified geological or geotechnical specialist in order to map the extent of the lava flows and stream.

Commented [A19]: Consequential changes to referencing may be required

Commented [A20]: Parties agree this condition is not needed.

Commented [A21]: Agreed with NZTA.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(d) Modification of the Outstanding Natural Feature (Waititiko / Meola Creek, ID 95) must be restricted to the completed footprint of the proposed works. (e) Surrounding areas of the Outstanding Natural Feature (Waititiko / Meola Creek, ID 95) must be protected from ground disturbance, vehicles, equipment movements, and storage of materials.
9	25.	Northwest Lava Flow, Western Springs – Outstanding Natural Feature [RECOMMENDED DELETION] (a) The Project shall be designed to minimise impacts on the exposed face of the Northwestern Lava Flow Outstanding Natural Feature (AUP ID 132) as far as practicable. (b) The Outline Plan(s) shall describe the measures that will be implemented to minimise any permanent impacts. Northwest Lava Flow, Western Springs - Outstanding Natural Feature (a) The Project shall be designed to minimise permanent effects on the exposed face of the Northwestern Lava Flow Outstanding Natural Feature (AUP ID 132) as far as practicable. (b) The Outline Plan(s) shall describe the measures that will be implemented to minimise any permanent effects.
9	ONFc2	North-west lava flow, Western Springs – Outstanding Natural Feature (a) A Construction Management Plan (CMP) must be prepared for each stage of work that affects the North-west lava flow, Western Springs Outstanding Natural Feature (ONF ID 132) and submitted with the relevant Outline Plan. (b) The CMP must include how construction methods and design will avoid effects on the North-west lava flow, Western Springs. This includes the location and design of the pier(s) to be located in the North-west lava flow, Western Springs ONF and the location and volume as well as type of earthworks required to construct the pier(s). If rock breaking is required, the plan must include proposed levels of vibration and an assessment of possible impacts on the face of the lava flow. (c) Modification of the Outstanding Natural Feature (North-west lava flow, Western Springs, ID 132) must be restricted to the completed footprint of the proposed works. (d) Material extracted from earthworks must be re-used for backfilling or reinstatement purposes to the extent possible. All excess rock, sand, soil or any other material beyond what is re-used must be disposed of outside of the Outstanding Natural Feature Overlay.
3	ONFc3	Harbour View Pleistocene terraces – Outstanding Natural Feature (a) Modification of the Outstanding Natural Feature (Harbour View Pleistocene terraces, ID 40) must be restricted to the completed footprint of the proposed works. (b) Surrounding areas of the Outstanding Natural Feature (Harbour View Pleistocene terraces, ID 40) must be protected from ground disturbance, vehicles, equipment movements, and storage of materials. (c) Material extracted from earthworks in the Outstanding Natural Feature (Harbour View Pleistocene terraces, ID 40) must be re-used for backfilling or reinstatement purposes to the extent possible. All excess rock, sand, soil or any other material beyond what is re-used must be disposed of outside of the Outstanding Natural Feature Overlay.
All	26.	Landscape Planting [RECOMMENDED DELETION] (a) The Requiring Authority shall, where practicable: (i) Retain existing mature, native vegetation (ii) Plant at stations and batter slopes (iii) Use eco-sourced native vegetation

Commented [A22]: Agreed with NZTA.

Commented [A23]: Parties agree this condition is not needed.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(iv) Integrate planting with any planting required by conditions of resource consents for the Project. (b) For planting under (a), the Requiring Authority shall: (c) Undertake planting within the first planting season following Completion of Construction; (i) undertake pest plant control for a five year period; and (ii) monitor planted areas and undertake replacement planting as necessary for a five year period or until 80% canopy cover is achieved (whichever is less). (d) The measures described in (a) shall be shown in the Outline Plan. 26. Landscape Planting (a) The Requiring Authority shall, where practicable: i. Retain existing mature trees and vegetation ii. Plant at stations, batter slopes and any other location identified within the Form and Landscaping Statement (condition 15D) iii. Use eco-sourced native vegetation iv. Re-instate any pre-existing planting following disestablishment of construction and site compound areas that are not used for permanent works for operational needs as appropriate. v. Integrate planting with any planting required by resource consents for the Project. (b) For planting under (a), the Requiring Authority must: i. Undertake planting within the first planting season following Completion of Construction for a stage of works ii. undertake ground preparation (top soiling and decompaction) and mulching where appropriate. iii. undertake pest animal and plant control for a five year period; and iv. monitor planted areas and undertake replacement planting as necessary for a five year period or until 80% canopy cover is achieved (whichever is less). (c) The measures described in (a) shall be shown in the Form and Landscaping Statement submitted with the Outline Plan(s).
10	26A.	Arch Hill Scenic Reserve – Native Vegetation Removal (a) If any Any If native vegetation within the Designation is removed from within in Arch Hill Scenic Reserve shown in Schedule C, the Requiring Authority must-shall: (i) for temporary construction works, plant native vegetation in those areas where vegetation was removed. (ii) for permanent works habitat loss, plant an equal area provide a Biodiversity Offset Accountancy Model (BOAM) to calculate an appropriate area (in m2) and implement the outcomes of the BOAM within Arch Hill Scenic Reserve or elsewhere within the Designation. (b) For planting under (a) the Requiring Authority Consent Holder must-shall: (i) engage a SQP SQEP(B) to advise on demonstrate compliance with the following: eco-system specification, appropriate location and determine plant species and eco-sourcing, density and sizing, in accordance with the specifications detailed in Te Haumanu Taiao; (ii) undertake eco-sourced planting within the first planting season following completion of construction where practicable; (iii) undertake pest animal and plant control for no less than a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).
9 and 10	27.	Tree Protection Methodology (a) Prior to the start of construction, the Requiring Authority must-shall engage a SQP to prepare a tree protection methodology for the trees identified in Schedule E (existing at the time of construction). The tree protection methodology must-shall demonstrate how the design and

Commented [A24]: Amendments to condition 26 proposed by Council as part of package in lieu of ULDMP and PCF conditions. Not agreed with NZTA.

Commented [A25]: Changes not agreed with NZTA except for "eco-sourced" and "requiring authority".

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		location of the Project has avoided, remedied or mitigated effects on any tree listed in Schedule E. (b) The methodology mustshall include: - Procedures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and - Methods and procedures to be used when the trees are pruned and/or work is undertaken within the rootzone.
ALL	ULDMPc1	Urban and Landscape Design Management Plan (a) An ULDMP must be prepared for each Stage of Work and submitted with the relevant Outline Plan. The objectives of the ULDMP(s) are to: Enable holistic and place-based integration of the Project's permanent works into the surrounding urban, landscape, open space and public realm context; and Ensure that the Project manages potential adverse urban design, landscape and visual effects as far as practicable and contributes to a quality, legible, safe, accessible and well-integrated public transport corridor and public realm environment. (b) Mana Whenua must be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition(s) [reference — tbc] may be reflected in the ULDMP. (c) Stakeholders identified through the Condition(s) [reference — tbc] must be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work. (d) The ULDMP must be prepared in general accordance with: Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and Waka Kotahi P30 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version. (e) To achieve the objectives, the ULDMP(s) must provide details of how the project: Is designed to integrate with the adjacent urban (or proposed urban), landscape, open space and public realm context including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character, open space zones and active mode networks; Provides appropriate walking and cycling connectivity to, along and across the corridor, and interfaces with existing or proposed adjacent land uses, public transport infrastructure, station environments and walking and cycling connections; Promotes inclusive access (where appropriate); Promotes a sense of personal safety by aligning with best practice guidelines, such as: Crime Prevention Through Environmental Design (CPTED) principles; Safety in Design (SID) requirements; and Maintenance in Design (MID) requirements and anti-vandalism / anti-graffiti measures.

Commented [A26]: AC deletion as part of package of changes discussed above.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(v) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable; (vi) Provides clear, safe and legible station access, forecourt design, platform access, interchange environments, Park and Ride areas, pick-up / drop-off areas and connections to surrounding streets, centres, open spaces and public transport networks, where relevant; (vii) Provides appropriate public realm quality, including shelter, materials, furniture, lighting, wayfinding, planting, pedestrian amenity and micro-mobility / cycle parking, where relevant; (viii) Addresses interfaces with schools, residential properties, open spaces, town centres, heritage / character buildings, commercial / servicing areas, community facilities and visitor destinations where relevant; (f) The ULDP(s) must include: (i) A masterplan document – which depicts the overall landscape and urban design concept, and explains the rationale for the landscape and urban design proposals; (ii) Developed design concepts, including principles for walking and cycling facilities, public transport, station environments, corridor interfaces and public realm; and (iii) Landscape and urban design details that cover the following, where relevant to the Stage of Work and applicable Designation extent: a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment; b. Roadside elements – such as lighting, fencing, wayfinding, signage, barriers and maintenance access; c. Station access, forecourts, interchange areas, platform access, Park and Ride areas, pick-up / drop-off areas, local bus connections and associated public realm; d. Architectural and landscape treatment of all major structures, including bridges, underpasses, abutments and retaining walls, including consideration of appropriate materials and design of support structures and soffits and underpass roof surfaces; e. Architectural and landscape treatment of noise barriers; f. Landscape treatment of permanent stormwater control wetlands and swales; g. Integration of passenger transport; h. Pedestrian and cycle facilities, including paths, road crossings, shared paths and dedicated pedestrian / cycle bridges or underpasses; i. Public realm elements, including shelter, seating, lighting, wayfinding, signage, materials, furniture, planting, cycle parking and micro-mobility facilities; j. Historic heritage places with reference to the [reference – tbc]; k. Interface treatment with schools, residential properties, open spaces, town centres, commercial properties, heritage / character buildings, community facilities and visitor destinations; l. Treatment of interim, residual or severed spaces, including their access, safety, landscape treatment, maintenance and future use; m. Reinstatement of construction and site compound areas; n. Reinstatement of features to be retained, such as: boundary features;

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		ii. landscaping; iii. driveways; iv. accessways; v. fences; and vi. site utilities; (g) The ULDM must also include the following planting details and maintenance requirements: (i) planting design details including: a. identification of existing trees and vegetation that will be retained with reference to the [reference – tbc]. Where practicable, mature trees and native vegetation should be retained; b. street trees, shrubs and ground cover suitable for the location; c. treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones; d. planting of stormwater wetlands; e. identification of vegetation to be retained and any planting requirements under Condition(s) [reference – tbc]; f. integration of any planting requirements required by conditions of any resource consents for the project; and g. re-instatement planting of construction and site compound areas as appropriate; (ii) A planting programme including the staging of planting in relation to the construction programme which must, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and (iii) Detailed specifications relating to the following: a. weed control and clearance; b. pest animal management (to support plant establishment); c. ground preparation (top soiling and decompaction); d. mulching; e. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species; f. irrigation; and g. plant replacement (due to theft or plants dying);
All	ARBc1	Arboricultural An arboricultural report prepared by a suitably qualified and experienced arborist must be prepared and submitted to the Council for certification prior to the commencement of construction. The report must include detail to demonstrate that tree impacts on mature specimens are avoided, minimised, and reduced through retention in the first instance and provide for mitigation or offset planting to ensure there is no net loss of canopy coverage within the different habitats and areas including SEAs, riparian margins, coastal land within 150m of MHWS, road berm, and open space zoned land. Construction works must not commence until Council has certified that there will be no net loss of canopy cover within each of the habitats.
2, 3, 8, 10, 12	PCFc1	Open Space Mitigation Management Plan (OSCMP) Prior to the lease, acquisition, occupation, and/or commencement of any public open space area (whichever occurs first), the consent holder must prepare and submit an Open Space Construction Management Plan (OSCMP) to the Council for certification. The OSCMP must demonstrate how construction activities will be undertaken to achieve the objectives of the OSCMP and comply with the relevant conditions of consent. The consent holder must implement and comply with the certified OSCMP for the duration of the relevant works. Any subsequent review of the OSCMP must also be submitted to Council for certification prior to the amended measures being implemented. The consent holder must meet all the costs of the preparation, implementation, certification, monitoring and review of the OSCMP.

Commented [A27]: Parties agree this condition is not needed.

Commented [A28]: Deletion of PCF conditions proposed as part of package discussed above.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		<u>The overall objectives of the OSCMP must be to set out the construction management practices, staging, and mitigation measures to be adopted to ensure compliance with the consent conditions and to meet, but not be limited to, the following objectives:</u> <u>minimise, adverse effects of construction activities on public open space, parks, reserves, esplanade reserves, recreational users, neighbouring communities, and open space values;</u> <u>maintain, safe and functional public access, recreational connectivity, and usability of parks, shared paths, walkways, and associated open space infrastructure during construction activities;</u> <u>maintain public safety, including the appropriate separation and management of construction activities on and adjacent to public recreation;</u> <u>manage temporary closures and staging activities affecting public open space and recreational networks;</u> <u>avoid damage to public assets;</u> <u>minimise disruption to organised recreation such as leased or licensed activities, community facilities, events, and existing service levels within affected parks and open spaces, including the provision of temporary alternative arrangements;</u> <u>ensure construction activities do not compromise Mana Whenua values of affected public open space areas;</u> <u>provide for communication, monitoring, adaptive management, and ongoing engagement with all relevant stakeholders throughout construction activities, where required;</u> <u>align remediation, reinstatement, planting, restoration, and mitigation works with existing reserve management objectives, ecological restoration plans, or approved open space outcomes where applicable;</u> <u>Parks and Community Facilities must be invited to participate in the development of the OSCMP at least 24 months prior to the start of detailed design for stage works that will impact on the reserve;</u>
2, 3, 8, 10, 12	PCFe2	Open Space Mitigation Plan (OSMP) <u>Prior to the lease/acquisition or occupation of the site (whichever occurs first), the consent holder must submit an Open Space Mitigation Plan (OSMP) to the Council for certification, to confirm that the activities undertaken in accordance with the OSMP will achieve the objectives of the plan and compliance with the relevant consent conditions. Any subsequent review of the OSMP must also be submitted to Council for certification. The consent holder must meet the costs of the production, certification, monitoring and review of the OSMP.</u> <u>The overall objectives of the OSMP must be to set out the mitigation procedures to be adopted to ensure compliance with consent conditions and also to meet, but not be limited to the following objectives:</u> <u>minimise, as far as practicable, adverse effects from the project on the ecological and environmental aspects of the reserves / esplanade reserves, parks and open spaces;</u> <u>detail reinstatement of any assets to the same or better outcome to the satisfaction of Council;</u> <u>Mitigate adverse effects caused by the project on the recreation amenity and connectivity within the parks and Mana whenua values</u> <u>Mitigation to replace the loss of any park's infrastructure, including land, ensuring existing service levels of the affected parks are maintained;</u> <u>Alignment of mitigation works with existing restoration plans;</u> <u>Parks and Community Facilities must be invited to participate in the development of the OSCMP at least 24 months prior to the start of detailed design for stage works that will impact on the reserve;</u>
2	PCFe3	Westgate Pedestrian and Cycle Bridge <u>The consent holder must facilitate and manage pedestrian/cycle connectivity for this important local pedestrian / cyclist bridge connection from east to west over and across the motorway during construction works to ensure continuous connection between the Stormwater Basin Reserve and Manutewhau Walk;</u>
2	PCFe4	Pukewhakataratara / Rush Creek Reserve – Lot 1 DP 200724

Te Ara Hauāuru Northwest Rapid Transit

NoR number	Condition number	Condition
		<u>In order to minimise, as far as practicable, adverse recreational, amenity, connectivity effects on the park and Mana Whenua values, the consent holder must in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved:</u> • <u>How ongoing public access through the reserve, during construction will be maintained in accordance with the Construction Traffic Management Plan (CTMP), condition #.</u> • <u>Address the aesthetic dominance of any buildings and interfaces with the reserve through sympathetic design.</u> • <u>That Mana whenua is invited to provide the name and narrative for this park so that there is a connection to this space that needs to be acknowledged.</u> • <u>Opportunities to coordinate the forward work programme for the parks, where appropriate, with PCF.</u> • <u>Measures to reasonably maintain the existing service level of the affected park, including any temporary or permanent reconfiguration or replacement of park facilities.</u> <u>Advice Note:</u> <u>PCF do not support the use of parkland to relocate the substation as it will devalue the land and limit Council's future recreational and conservational use of the land.</u> <u>PCF recommend the Requirement Authority use an alternative site (3 Maki Street) that is closer to the area impacted.</u>
10	PCFe5	Huruhuru Reserve / 340 Triangle Road <u>In order to minimise, as far as practicable, adverse ecological and environmental effects on the reserves through temporary occupation, including waters, the consent holder must in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved:</u> • <u>replanting and/or weed control for mitigation and possible fencing to manage future encroachments.</u> <u>Advice Note:</u> <u>332 Triangle Road seems to have privatised part of the esplanade.</u>
3	PCFe6	Flanshaw Esplanade Reserve <u>In order to minimise, as far as practicable, adverse recreation and amenity effects on the esplanade, the consent holder must in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved:</u> • <u>How ongoing public access (walking and cycling) through the esplanade reserve, during construction will be maintained in accordance with the Construction Traffic Management Plan (CTMP), condition #.</u> • <u>Opportunities to coordinate the forward work programme for the esplanade, where appropriate, with PCF.</u> • <u>Measures to reasonably maintain the existing service level of the affected esplanade, including any temporary or permanent reconfiguration or replacement of esplanade reserve facilities.</u> • <u>How matters raised by PCF and relevant stakeholders have been incorporated into the OSCMP and OSMP, and where matters have not been incorporated, the reasons why not.</u> <u>Advice Note:</u> <u>PCF notes that the two existing entry and exit points along the northwestern cycleway are key access points to the Lincoln, Henderson and Te Atatu South communities. If these access points are obstructed users will have to divert to the suburban road network for longer travel times and greater safety risk where there is no separation from vehicles.</u>
3	PCFe7	Harbourview – Orangihina Park <u>In order to minimise, as far as practicable, the loss of and adverse recreation amenity and connectivity within park and future marae development, the consent holder must in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved:</u>

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		- How ongoing public access (walking and cycling) through the park, during construction will be maintained in accordance with the Construction Traffic Management Plan (CTMP), condition #. - Opportunities to coordinate the forward work programme for the park, where appropriate, with PCF. - Consider impact on leasing arrangements with Pony Club. - Consider the impact on the future marae development and access to this development. - Measures to reasonably maintain the existing service level of the affected park, including any temporary or permanent reconfiguration or replacement of park reserve facilities. - How matters raised by PCF and relevant stakeholders have been incorporated into the OSCMP and OSMP, and where matters have not been incorporated, the reasons why not. - How the proposed works can be incorporated into the Harbourview-Orangihina Park Master Plan 2019. - How potential mitigation works would align with the Harbourview-Orangihina Park Community Restoration Plan. <u>Advice Note:</u> The southern pathway connection to Te Atatu Road was only constructed in 2024. NZTA, the Requirement Authority, needs to consider connectivity to cycle lane connection to northwestern cycleway and separate extensive coastal Whau Pathway. If this access point is obstructed pedestrian and cycle users will have to divert to the suburban pathway and road network for longer travel times and greater safety risk where there is no separation from vehicles.
8	PCFc8	McCormick Green In order to minimise, as far as practicable, adverse recreation, amenity and connectivity effects on land owners and all users of the park as a result of permanent loss of open space, the consent holder must in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved: - How ongoing public access (walking and cycling) through the park, during construction will be maintained in accordance with the Construction Traffic Management Plan (CTMP), condition #. - Opportunities to coordinate the forward work programme for the park, where appropriate, with PCF. - Mitigation to replace the loss of open space and existing service level of the affected park. - How matters raised by PCF and relevant stakeholders have been incorporated into the OSCMP and OSMP, and where matters have not been incorporated, the reasons why not. <u>Advice Note:</u> PCF notes that there is a cycle and pedestrian path connection from McCormick Road through the Park that is a key connector access point to the northwest cycleway and to Rutherford College for the Te Atatu South community. NZTA, the Requirement Authority, needs to consider connectivity to the new and extensive coastal Whau Pathway. PCF notes that the cost of replacing the McCormick Green open space amenity on replacement land within designation of similar area and recreational value rests with NZTA, the Requirement Authority, and not Auckland Council.
10 and 12	PCFc6	Western Springs Garden Park In order to minimise, as far as practicable, adverse recreation, amenity and connectivity effects on land owners and all users of the park as a result of permanent loss of recreation facilities, including the community hall, car parking, recycling and mature Pohutukawa, the consent holder must in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved:

Te Ara Hauāuru Northwest Rapid Transit

NoR number	Condition number	Condition
		- How ongoing public access (walking and cycling) through the park, during construction will be maintained in accordance with the Construction Traffic Management Plan (CTMP), condition #. - Opportunities to coordinate the forward work programme for the park, where appropriate, with PCF. - Mitigation to replace the loss of open space community hall, car parking and existing service level of the affected park facilities. - Measures to reasonably maintain the existing service level of the other affected park elements, including impact on the significant strand of Pohutukawa trees, recycling space, and any temporary or permanent reconfiguration or replacement of esplanade park facilities. - How matters raised by PCF and relevant stakeholders have been incorporated into the OSCMP and OSMP, and where matters have not been incorporated, the reasons why not. Advice Note: PCF notes that the cost of replacing the Western Springs Community Hall and carparking and its relevant community service level requirements on replacement land within designation of similar area and recreational value rests with NZTA, the Requirement Authority, and not Auckland Council.
16	PCFc10	Arch Hill Reserve (Parks and Community Facilities) In order to minimise adverse effects on recreation amenity, public access, connectivity, biking activities, ecological values, and all users of Arch Hill Reserve arising from the relocation of the playground, formation of the stormwater pond, impacts on biking areas, and relocation of the wetland area, the consent holder must, in addition to Conditions (15) and (16), demonstrate through the OSCMP and OSMP how the following specific objectives and mitigation measures will be implemented and achieved: - How ongoing public access (walking and cycling) through the reserve, during construction will be maintained in accordance with the Construction Traffic Management Plan (CTMP), condition #. - Opportunities to coordinate the forward work programme for the reserve, where appropriate, with PCF. - Measures to reasonably maintain the existing service level of the affected reserve, including any temporary or permanent reconfiguration or replacement of esplanade park facilities. How matters raised by PCF and relevant stakeholders have been incorporated into the OSCMP and OSMP, and where matters have not been incorporated, the reasons why not.
All	ENGc1	Erosion and Sediment Control Plan (ESCP) (a) Prior to the start of construction, the Requiring Agency must engage a SQP to prepare an ESCP. The purpose of the ESCP is to set out measures to be implemented during construction to minimise erosion and the discharge of sediment from within the boundaries of the Site. (b) The ESCP(s) must be prepared in accordance with Auckland Council's Guidance Document 005 – Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) or updated version except as otherwise provided for in these conditions. (c) The ESCP must include the following information: (i) Location of the work. (ii) Contour information. (iii) Details of construction methods. (iv) ESC measures for the works being undertaken within a particular construction area. (v) Catchment boundaries of works and devices installed. (vi) Design criteria, typical and site-specific details of ESC. (vii) The identification of staff who will monitor compliance with the ESCP. (viii) Design details for managing the treatment, disposal and/or discharge of contaminants (e.g. concrete wash water).

Commented [A29]: Parties agree this condition is not needed.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(ix) Chemical (or organic) treatment design and details including batch dosing. (x) Pumping procedures where dewatering is required. (xi) Earthworks programme. (xii) Methodology, timing, staging and sequencing of stream works including siltvort extensions and replacements, and any erosion sediment control measures to be employed to mitigate the effects on waterbodies.
All	ENGc2	Geotechnical Management Plan (GMP) (a) Prior to the start of construction, the Requiring Agency must engage a Suitably Qualified Geotechnical Professional (SQGP) to prepare a GMP. The purpose of the GMP is to review the geotechnical conditions along the alignment with respect to the detailed design proposal in order to confirm that there will be no adverse effects to land, buildings or infrastructure beyond the designation boundary. (b) The GMP must consider effects of both temporary and permanent works. (c) Where the works are located in areas of geotechnical hazard, such as steep slopes, poor soils, or landslide susceptibility the SQGP must undertake geotechnical investigations to ensure the hazard is well understood, and to demonstrate the proposed design mitigates any potential effects on land, buildings or infrastructure beyond the designation boundary.
OPERATIONAL CONDITIONS		
2, 3, 6, 8, 9, 10, 12	28.	Operational Traffic Low Noise Road Surface The Requiring Authority must shall implement an asphalt surface or similar smooth and even low noise road surface throughout the Project (excluding any existing local roads with chip seal). The road surfaces must shall be maintained to retain their noise and vibration reduction performance as far as practicable.
2, 3, 6, 8, 9, 10, 12	28A	For the purposes of Conditions 29 to 37: (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Noise Barrier is any barrier that has a minimum surface density of 15 kg/m² and is designed to have no gaps between the panels and the ground and between panels (c) Habitable Space – has the same meaning as in NZS 6806; (d) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (e) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (f) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule E “Identified PPFs”. 28A. For the purposes of Conditions 29 to 37: (a) NZS 6806 – means NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (b) Building-Modification Mitigation – has the same meaning as in NZS 6806; (c) Noise Barrier is any barrier that has a minimum surface density of 15 kg/m² and is designed to have no gaps between the panels and the ground and between panels (d) Habitable Space – has the same meaning as in NZS 6806; (e) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (f) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule E “Identified PPFs”.

Commented [A30]: Council planners have endeavoured to work through the issues relating to geotechnical matters, raised by Council's Development Engineer (Appendix 5 to Council Memorandum, 2 June 2025). However, not bottomed out / agreed at this time. Condition not agreed with NZTA.

Commented [A31]: Parties agree the amendments to this condition are not needed.

Commented [A32]: Agreed with NZTA.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(a) <u>Structural mitigation – has the same meaning as in NZS 6806;</u> (b) <u>Design Year means the year 2051;</u> (c) <u>Do-nothing scenario – has the same meaning as in NZS 6806; and</u> (d) <u>Detailed design scenario means the Project and State Highway 16 with traffic volumes for the Design Year, with any BPO structural mitigation implemented.</u>
2, 3, 6, 8, 9, 10, 12	29.	As part of the detailed design of the project, a SQEP <u>must-shall</u> determine the BPO <u>structural mitigation</u> for mitigating noise effects on PPFs. <u>Any BPO measures for mitigation noise must shall ensure ongoing compliance with Condition ON-12 Designation 6738 (applicable to SH16 near between Te Atatu and Henderson/Lincoln Road).</u>
2, 3, 6, 8, 9, 10, 12	30.	(a) Prior to the start of construction works, a SQEP <u>must-shall</u> identify those PPFs where, following implementation of the Noise Barriers, <u>BPO structural mitigation determined through Condition 29:</u> (i) The external traffic-noise level at the façade <u>of the PPF</u> facing the Project is higher than 67 dB L_{Aeq}(24h), and (ii) A noise level increase of 1 dB or more will occur due to the Project implementation; and (iii) where Building-Modification Mitigation might be required to achieve 40 dB L_{Aeq}(24h) inside Habitable Spaces ('Category C Buildings') as far as reasonably practicable. <u>Such PPFs will be classified as "Category C Buildings"</u> (b) <u>The noise level increases discussed above shall be based on a comparison of the Do-nothing scenario and the Detailed design scenario</u> (iv) <u>The above must-shall be based on the traffic noise level from the busway and SH16 in the design year (2051); and the comparison of the do-nothing scenario (i.e. SH16 traffic noise levels for 2051 without busway project) and the proposed detailed design scenario (i.e. busway and SH16 traffic noise levels for 2051 with the busway project and any mitigation proposed to be implemented such as barriers).</u>
2, 3, 6, 8, 9, 10, 12	31.	Prior to the start of construction in the vicinity of each Category C Building, the Requiring Authority <u>must-shall</u> write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within 12 months of the date of the Requiring Authority's letter, the Requiring Authority must instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.
2, 3, 6, 8, 9, 10, 12	32.	(a) For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition <u>30 31</u> above if: (i) the Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (ii) the building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (iii) the building owner did not agree to entry within 12 months of the date of the Requiring Authority's letter sent in accordance with Condition 30 above (including where the owner did not respond within that period); or (iv) the building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the project. If any of (ii) to (iv) above apply to a Category C Building, the Requiring Authority is not required to offer to implement Building-Modification Mitigation to that building.
2, 3, 6, 8, 9, 10, 12	33.	(a) <u>Subject to Condition 34 32</u> above, within six months of the assessment undertaken in accordance with Condition <u>30 31</u>, the Requiring Authority <u>must-shall</u> write to the owner of each Category C Building advising: (i) if Building-Modification Mitigation is required <u>and reasonably practicable</u> to achieve 40 dB L_{Aeq}(24h) inside habitable spaces; and

Commented [A33]: Agreed with NZTA.

Commented [A34]: Agreed with NZTA.

Commented [A35]: Agreed with NZTA.

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		(ii) the options available for Building-Modification Mitigation to the building, if required <u>and reasonably practicable</u>; and (iii) that the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.
2, 3, 6, 8, 9, 10, 12	34.	Once Building-Modification Mitigation has been agreed, it <u>must-shall</u> be implemented in a reasonable and practical timeframe by arrangement with the owner.
2, 3, 6, 8, 9, 10, 12	35.	(a) Subject to Condition 31, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 30 if: (i) the Requiring Authority has completed Building Modification Mitigation to the building; or (ii) an alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (iii) the building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 31 (including where the owner did not respond within that period); or (iv) the building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the project.
2, 3, 6, 8, 9, 10, 12	36.	All noise barriers required as determined by the BPO assessment in accordance with Condition 29 <u>must-shall</u> be installed prior to the opening of the Project.
2, 3, 6, 8, 9, 10, 12	37.	The Noise Barriers that are part of the BPO <u>must-shall</u> be maintained so they retain their noise reduction performance as far as practicable.
X	CnVc1	All mechanical and electrical services (including public address systems) at Stations must shall be designed to comply with the noise rating levels and maximum noise levels set out in Chapter E25 of the Auckland Unitary Plan. Noise shall be measure in accordance with New Zealand Standard NZS 6801:2008 "Acoustics — Measurement of environmental sound" and assessed in accordance with New Zealand Standard NZS 6802:2008 "Acoustics — Environmental Noise".
All	WWMPc1	Water and Wastewater Management Plan (WWMP) a) <u>The WWMP must-shall be prepared by the Requiring Authority prior to commencing preliminary design for the first and each subsequent stage. The objective of the WWMP is to set out a framework for early engagement and agreement on methods for protecting and/or relocating assets, and managing the adverse effects of working in close proximity to existing and authorised water and wastewater assets.</u> b) <u>To achieve the objective, the WWMP must-shall include methods to:</u> i. <u>manage the effects of construction works on existing water and wastewater assets.</u> ii. <u>provide a process for the relevant Network Utility Operator to review and provide feedback on detailed designs developed by the Requiring Authority where those detailed designs involve modifications to, or relocation of, existing bulk/transmission water and wastewater assets;</u> iii. <u>maintain safe operational access for maintenance at all reasonable times and for emergency works at all times during construction activities and operation.</u> iv. <u>protect, and where reasonably necessary to accommodate the Project, relocate existing network utilities in consultation with the relevant Network Utility Operator;</u> v. <u>identify and map all existing and authorised network utilities within or adjacent to the designation, classify asset criticality, and set out protection, support, monitoring and (if required) relocation</u>

Commented [A36]: Parties agree this condition is not needed.

Commented [A37]: Not agreed with NZTA

Te Ara Hauāuru Northwest Rapid Transit



NoR number	Condition number	Condition
		vi. <u>methodologies for those assets; specify programme-level coordination, including indicative long-lead notice and staging arrangements for works that may require outages or complex interfaces, with a mechanism for the Requiring Authority and Network Utility Operator to agree refinements based on risk and detailed design; and</u> vii. <u>set out emergency response and escalation protocols, including 24/7 contacts and procedures to secure, isolate and restore service in the event of an incident affecting a network utility.</u> c) <u>The WWMP must shall be prepared in consultation with the relevant Network Utility Operator who have existing or authorised assets that are directly affected by the Project.</u> d) <u>The WWMP must shall describe how any comments from the relevant Network Utility Operator(s) in relation to their assets have been addressed.</u> <u>Advice note:</u> <u>Nothing in this condition limits or replaces requirements under the Government Roadway Powers Act 1989, the Utilities Access Act 2010 and associated National Code of Practice for Utility Operators' Access to Transport Corridors, or any approvals reasonably required by a Network Utility Operator for works over, near to, or affecting its assets.</u> <u>Advice note:</u> <u>There may be opportunities for upgrading water and/or wastewater assets as part of these works. The WWMP does not deal with the process for cost sharing and delivery of those upgrades. This will be addressed separately between the Requiring Authority and Network Utility Operator in accordance with relevant legislation and processes.</u>

ANNEXURE B

Updated Draft Resource Consent Conditions

Te Ara Hauāuru Northwest Rapid Transit – Proposed Resource Consent Conditions

This document depicts Auckland Council's proposed amendments to NZTA's consent conditions (as lodged) as at 8 July 2026, following the completion of facilitated discussions. NB: Attached plans omitted.

All Resource Consents

These consents authorise the activities under sections 9(1), 9(2), 12, 13, 14 and 15 of the Resource Management Act 1991 (RMA) including Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) and Resource Management (National Environmental Standards for Freshwater Management) Regulations 2020 (NES-FW) as described in Table 1 for the purposes of the construction, operation, maintenance and improvement of the Project within the Site.

Exceptions

These consents do not authorise any breach of:

- AUP Rule E3.4.1 (A19) Diversion of a river or stream to a new course and associated disturbance and sediment discharge (within an overlay or outside of an overlay)
- Regulation 45 of the NES-FW – for activities within or near wetlands

as that rule and regulation existed at the date of these resource consents being issued.

Commented [A1]: Agreed with NZTA.

Definitions

The table below defines the acronyms and terms used in these conditions. Defined terms are capitalised in these conditions.

Acronyms and defined terms

Acronym/term	Definition/meaning
AEP	Annual Exceedance Probability
AUP	Auckland Unitary Plan
CCMP	Coastal Construction Management Plan
Coastal margin	Within 20m of mean high water springs
Consent Holder	NZ Transport Agency
Council	Auckland Council
CMA	Coastal Marine Area
Designation	The designation(s) for the Project, included in the Auckland Unitary Plan
ESC	Erosion and Sediment Control
Manager	The Manager – Resource Consents of Council, or authorised delegate
NES-CS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
NES-FW	National Environmental Standards for Freshwater Management
Project	Te Ara Hauāuru Northwest Rapid Transit
Riparian margin	Within 20m of the centreline of a permanent or intermittent watercourse
RMA	Resource Management Act 1991
SEA	Significant Ecological Area
Site	The area defined by the boundary of the Designation(s) and extent of coastal permits as shown in Schedule A for the Project
SQP	Suitably Qualified Person

Te Ara Hauāuru Northwest Rapid Transit



SQEP	Suitably Qualified and Experienced Practitioner for the purpose of the assessment of contaminated land A suitably qualified and experienced person, being a person who can provide sufficient evidence to demonstrate their suitability and competence. In relation to contaminated land matters, it means a suitably qualified and experienced practitioner.
Threatened or At-Risk wetland birds	According to the New Zealand Threat Classification System
Watercourse(s)	A river or stream, excluding overland flow paths, as defined in the AUP

Commented [A2]: Agreed with NZTA. First part of definition accords with definition in Chapter J1 of AUP.

Commented [A3]: Agreed with NZTA.

Conditions

Proposed conditions

Reference	Number	Condition																																								
GENERAL CONDITIONS																																										
ALL	1.	Table 1 Resource Consent lapse and expiry (a) The consents shall lapse as set out below from the date of commencement, unless they have been given effect, surrendered or been cancelled at an earlier date. (b) The consents shall expire as set out below from the date of commencement. <table><tr><th>Reference</th><th>Resource consents - Resource Management Act 1991</th><th>Proposed lapse date</th><th>Proposed Expiry date</th></tr><tr><td colspan="4">Land disturbance activities</td></tr><tr><td>LUCXXX</td><td>Land use (s.9) (1) – Disturbance of potentially contaminated material (NES:CS)</td><td>25 years</td><td>Unlimited duration</td></tr><tr><td>LUCXXX</td><td>Land use (s.9(2)) – earthworks, vegetation alteration and removal</td><td>25 years</td><td>Unlimited duration</td></tr><tr><td colspan="4">Coastal Consents and Permits</td></tr><tr><td>CSTXXXX</td><td>Coastal marine area (s.12) – including construction and use of structures (including temporary occupation for construction) in the coastal marine area, occupation of the seabed and ancillary activities at Wai-o-Pareira / Henderson Creek and Huruhuru Creek such as disturbance of substrate and alteration or removal of mangroves.</td><td>25 years</td><td>35 years from the date of commencement</td></tr><tr><td colspan="4">Works in watercourses</td></tr><tr><td>LUSXXXX</td><td>Land use (s.13) – including new or upgraded structures in, on, under or over the bed of rivers, streams (including intermittent streams), works in watercourses, structures, stormwater infrastructure, erosion protection and temporary diversions. Placement, use, alteration or reconstruction of a culvert in, on, or over the bed of a river (NES:FW)</td><td>25 years</td><td>35 years from date of commencement</td></tr><tr><td colspan="4">Diversion of Water</td></tr><tr><td>WATXXX</td><td>Water permit (s.14) – Diversion of groundwater and dewatering during construction, diversion of stormwater associated with new permanent impervious structures</td><td>25 years</td><td>35 years from the date of commencement</td></tr></table>	Reference	Resource consents - Resource Management Act 1991	Proposed lapse date	Proposed Expiry date	Land disturbance activities				LUCXXX	Land use (s.9) (1) – Disturbance of potentially contaminated material (NES:CS)	25 years	Unlimited duration	LUCXXX	Land use (s.9(2)) – earthworks, vegetation alteration and removal	25 years	Unlimited duration	Coastal Consents and Permits				CSTXXXX	Coastal marine area (s.12) – including construction and use of structures (including temporary occupation for construction) in the coastal marine area, occupation of the seabed and ancillary activities at Wai-o-Pareira / Henderson Creek and Huruhuru Creek such as disturbance of substrate and alteration or removal of mangroves.	25 years	35 years from the date of commencement	Works in watercourses				LUSXXXX	Land use (s.13) – including new or upgraded structures in, on, under or over the bed of rivers, streams (including intermittent streams), works in watercourses, structures, stormwater infrastructure, erosion protection and temporary diversions. Placement, use, alteration or reconstruction of a culvert in, on, or over the bed of a river (NES:FW)	25 years	35 years from date of commencement	Diversion of Water				WATXXX	Water permit (s.14) – Diversion of groundwater and dewatering during construction, diversion of stormwater associated with new permanent impervious structures	25 years	35 years from the date of commencement
Reference	Resource consents - Resource Management Act 1991	Proposed lapse date	Proposed Expiry date																																							
Land disturbance activities																																										
LUCXXX	Land use (s.9) (1) – Disturbance of potentially contaminated material (NES:CS)	25 years	Unlimited duration																																							
LUCXXX	Land use (s.9(2)) – earthworks, vegetation alteration and removal	25 years	Unlimited duration																																							
Coastal Consents and Permits																																										
CSTXXXX	Coastal marine area (s.12) – including construction and use of structures (including temporary occupation for construction) in the coastal marine area, occupation of the seabed and ancillary activities at Wai-o-Pareira / Henderson Creek and Huruhuru Creek such as disturbance of substrate and alteration or removal of mangroves.	25 years	35 years from the date of commencement																																							
Works in watercourses																																										
LUSXXXX	Land use (s.13) – including new or upgraded structures in, on, under or over the bed of rivers, streams (including intermittent streams), works in watercourses, structures, stormwater infrastructure, erosion protection and temporary diversions. Placement, use, alteration or reconstruction of a culvert in, on, or over the bed of a river (NES:FW)	25 years	35 years from date of commencement																																							
Diversion of Water																																										
WATXXX	Water permit (s.14) – Diversion of groundwater and dewatering during construction, diversion of stormwater associated with new permanent impervious structures	25 years	35 years from the date of commencement																																							
MANAGEMENT PLANS																																										
ALL	2.	(a) Any management plan or other plan listed in (b)(i)-(vi) below must shall: (i) be prepared and implemented in accordance with the relevant management plan condition; (ii) be prepared by a Suitably Qualified Person SQEP(s); (iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or stage of work to which it relates; (b) The Consent Holder may prepare management plans in parts or in stages to address specific activities or to reflect the staged implementation of the Project.																																								

Commented [A4]: In relation to the 'no condition 1' approach, Council planners' view is that provided the outstanding issues with the detailed resource consent conditions can be resolved, such an approach is potentially acceptable.

Commented [A5]: Note: Discharge permits to be included.

Commented [A6]: Council proposes several changes to ensure the efficient administration of the consent. These changes aren't agreed by NZTA.

Reference	Number	Condition
		(c) In preparing the mManagement pPlans listed in Condition 3(b) the Consent Holder shall consult with: (i) Te Kawerau ā Maki for works between Brigham Creek Station and west of Te Whau River/ SH16 causeway; (ii) Ngāti Whātua o Kaipara for works between Brigham Creek Station and Westgate; (iii) Ngāti Whātua Ōrākei, Te Ākitai Waiohū and Ngaati Te Ata for works east from Te Whau / SH16 causeway to Ian McKinnon Drive. (d) <u>The management plans or other plans must be implemented as certified.</u>
ALL	3.	Certification (a) The management plans or other plans listed in (b) (i)-(iii) below must shall be submitted to the Manager <u>Council</u> at least twenty (20) working days prior to the anticipated start of construction to be certified. The certification must shall confirm that the management plan has been prepared in accordance with the condition(s) to which it relates. (b) The following plans must shall be submitted for certification: (i) <u>Site-Specific</u> Erosion and Sediment Control Plan(s) (ii) Contaminated Soils Management Plan(s) (iii) Remedial Action Plan(s) (iv) Coastal Construction Management Plan (v) <u>Native Fish Capture and Relocation Plan</u> (vi) <u>Arboricultural report</u> (c) Any certified management plan may be updated or revised to reflect any changes in design, construction methods or management of effects <u>provided that:</u> (i) <u>Where m</u>Management plans are may be amended to reflect minor changes in design, construction methods or management of effects, re-certification may is not be required. <u>Any proposed minor amendments are to be discussed with and submitted to the Council for confirmation in writing prior to implementation of the change, unless the Council determines in its discretion that those amendments once implemented would result in a materially different outcome to that described in the original plan, in which case (c)(ii) below applies.</u> (ii) If there is a material change proposed to a management plan that has been submitted to Council for certification then the Consent Holder is required to must update a the management plan by submitting the amendment in writing to Council for certification. <u>The certification process will follow the same procedures as outlined above.</u> (iii) <u>Should the Council refuse to certify a management plan, or part of a management plan, the consent holder must submit a revised management plan for certification as soon as practicable. The certification process will follow the same procedures as outlined above.</u>

Commented [A7]: Council proposes several changes to ensure the efficient administration of the consent, as outlined below. These changes aren't agreed by NZTA.

Te Ara Hauāuru Northwest Rapid Transit



<u>ALL</u>	<u>3A.</u>	<u>Pre-start meetings</u> <u>Prior to the commencement of construction for each stage of work, the Consent Holder must hold a pre-start meeting that:</u> <u>is located on the Site;</u> <u>is scheduled not less than five (5) working days before the anticipated commencement of earthworks;</u> <u>includes representation from Council's environmental monitoring team;</u> <u>includes a copy of the conditions and the management plans certified in condition 3 applicable to that area; and</u> <u>includes representation from the contractor who will undertake the works.</u> <u>The meeting must discuss the conditions and ESC measures and ensure all relevant persons are aware of and familiar with the conditions of this consent.</u>
------------	------------	---

Commented [A8]: NZTA and Council agree to add a condition addressing pre-start meetings, but have not agreed the wording of this condition.

CONSTRUCTION CONDITIONS

	4.	<i>Cultural Monitoring Plan (Augier condition)</i> (a) Prior to the start of construction, a Cultural Monitoring Plan (CMP) for each stage of work shall be prepared by a Suitably Qualified Person(s) identified in collaboration with: - Te Kawerau ā Maki for works between Brigham Creek Station and west of Te Whau River and SH16 Causeway; - Ngāti Whātua o Kaipara for works between Brigham Creek Station and Westgate; - Ngāti Whātua Ōrākei, Te Ākitai Waiohūa and Ngāti Te Ata for works east from Te Whau /SH16 causeway to Ian McKinnon Drive. (b) The objective of the CMP is to specify cultural monitoring methods and activities to be undertaken during construction works. (c) To achieve the objective, the CMP shall specify: - requirements and protocols for cultural inductions for contractors and subcontractors; - activities, sites and areas where cultural monitoring is required during particular construction works, and what that cultural monitoring will comprise; and - the number of personnel who will undertake cultural monitoring, together with any geographic areas in which they will undertake it. (d) The CMP does not need to be submitted to Council for certification.
--	----	--

Reference	Number	Condition
-----------	--------	-----------

LUCXXX
CSTXXX

5 - 5F

Erosion and Sediment Control Plan (ESCP)

- (a) Prior to the start of construction, the Consent Holder shall engage a SQP to prepare an ESCP. The purpose of the ESCP is to set out measures to be implemented during construction to minimise erosion and the discharge of sediment beyond the boundaries of the Site.
- (b) The ESCP(s) shall be prepared in accordance with Auckland Council's Guidance Document 005 – Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) or updated version except as otherwise provided for in these conditions.
- (c) The ESCP shall include the following information:
- (i) Location of the work.
 - (ii) Contour information.
 - (iii) Details of construction methods.
 - (iv) ESC measures for the works being undertaken within a particular construction area.
 - (v) Catchment boundaries of works and devices installed.
 - (vi) Design criteria, typical and site-specific details of ESC.
 - (vii) The identification of staff who will monitor compliance with the ESCP.
 - (viii) Design details for managing the treatment, disposal and/or discharge of contaminants (e.g. concrete wash water).
 - (ix) Chemical (or organic) treatment design and details including batch dosing.
 - (x) Pumping procedures where dewatering is required.
 - (xi) Earthworks programme and measures for the period between 1 May and 30 September.

Methodology, timing, staging and sequencing of stream works including culvert extensions and replacements, and any erosion sediment control measures to be employed to mitigate the effects on waterbodies.

Site Specific Erosion and Sediment Control Plan (SSESCP)

- (a) Prior to the commencement of any earthworks and/or streamworks on the Site, the Consent Holder must engage a SQEP to prepare an SSESCP. The purpose of the SSESCP is to set out the site specific measures to be implemented during construction to minimise erosion and the discharge of sediment beyond the boundaries of the Site.
- (b) The SSESCP must be prepared in accordance with Auckland Council's Guidance Document 005 – Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05), including any amendments or revisions to GD05, or any replacement document that represents best practice erosion and sediment control (ESC) management.
- (c) The SSESCP must be implemented throughout the duration of the earthworks and/or streamworks to which it applies and must include the following information:
- a. details of erosion and sediment control measures for earthworks and/or streamworks (location, dimensions, capacity);
 - b. design drawings confirming the location, staging and sequencing of works, including installation of ESC measures;
 - c. details of construction methodologies (including timing and duration) for vegetation removal, earthworks, bridge works, culvert works and streamworks;
 - d. methodology for streambed remediation or stabilisation upon completion of stream works;
 - e. monitoring and maintenance requirements for all ESC measures;
 - f. relevant catchment boundary and contour information;
 - g. details of management measures for exposed areas (e.g. aggregate stabilisation, mulching);
 - h. details of management measures for the treatment, disposal and/or discharge of contaminants (e.g. concrete wash water);

Commented [A9]: Changes agreed with NZTA.

		i. <u>where relevant, design details of a chemical (or organic) treatment system based on a rainfall activation and batch-dosing, including:</u> i. <u>protocols and procedures for bench testing to determine which ESC measures will benefit from the use of flocculants, including: the effectiveness, suitability and optimal rates of application of the specific flocculant proposed to be applied (including assumptions);</u> ii. <u>details of the ESC devices which are to be treated;</u> iii. <u>design details including methodology and timing of application of the flocculation system;</u> iv. <u>details of optimum dosage (including assumptions), including how chemical dosage has been adjusted to the minimum level necessary to achieve the most effective flocculent in terms of sediment removal;</u> v. <u>treatment applications during pumping procedures where dewatering is required;</u> vi. <u>monitoring, maintenance and contingency management, including record keeping systems, minimum clarity, and pH limits for discharges; and,</u> vii. <u>spill contingency protocols.</u> j. <u>earthworks programme and measures for the period between 1 May and 30 September.</u> k. <u>identification and contact details of the personnel responsible for the operation and maintenance of all key ESC devices.</u> <u>Advice note: There is no condition requiring the preparation or certification of a Project-wide ESCP.</u> <u>5B. Prior to the commencement of earthworks and/or streamworks activity on the area of the site to which the SSES CP applies, a SQEP must provide written certification to the Council that the ESC measures have been constructed and completed in accordance with the relevant SSES CP.</u> <u>Advice Note: Certification documentation is available in Appendix C of Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05): Erosion and Sediment Control construction quality checklists.</u> <u>5C. Unless otherwise approved by the Council, the maximum area of exposed earth at any one time when exercising this consent must be no greater than five (5) hectares.</u> <u>Advice Note: Exposed earth does not include areas of the site which have been stabilised with aggregate, and which remain managed by erosion and sediment controls in accordance with the ESCP for that area.</u> <u>5D. Earthworks and/or streamworks at the Site must be progressively stabilised against erosion throughout the land disturbance phases of the project and must be sequenced to minimise the discharge of contaminants to surface water in accordance with the certified SSES CP applicable to that area.</u> <u>5E. The operational effectiveness and efficiency of all erosion and sediment control measures in each SSES CP required by Condition 5 must be maintained throughout the duration of earthworks and/or streamworks activities in the area to which they apply, or until that area is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Council on request.</u> <u>5F. Earthworks and/or streamworks must be managed to avoid deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. Roads or footpaths must not be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.</u>
--	--	--

LUCXXX	6.	<i>Stabilisation</i> If areas are stripped and exposed to erosion, and works are not to occur within that area within a subsequent 14-day period, then stabilization shall must occur. This may include temporary stabilisation during staging of earthworks.
CONTAMINATED LAND		
LUCXXX, DISXXXX	7. 7C.	<i>Contaminated Land</i> 7. Prior to commencement start of earthworks, the Consent Holder must submit shall engage a SQEP to undertake a Detailed Site Investigation (DSI) within the Site for land identified in Schedule B to the Council for information as being potentially contaminated. The DSI, sampling and testing shall be overseen by a SQEP, must be prepared in accordance with the Contaminated Land Management Guidelines No.1 & No.5: (Ministry for the Environment, revised 2021) or updated version. <u>7A. In the event the DSI required by condition 7 identifies contamination, then prior to the start of earthworks, the Consent Holder must prepare a Contamination Site Management Plan (CSMP).</u> <u>7B. The purpose of the CSMP is to identify measures to manage potential risks from disturbance of contaminated soils to human health and the environment (including from the discharge of sediment or sediment-laden water). The CSMP must:</u> (a) <u>Detail the procedures and controls required during and following the works to minimise the risk of potential effects on human health and the environment as a result of actual and potential soil contamination;</u> (b) <u>Identify whether contaminated soils require remediation and, if so, detail:</u> (i) <u>The remediation or management goal;</u> (ii) <u>Remediation methodology, including the rationale;</u> (iii) <u>Contingency measures if the remediation methodology fails to reach the remediation or management goal; and</u> (iv) <u>Site validation sampling plan and reporting.</u> (c) <u>Be prepared in accordance with the Contaminated Land Management Guidelines No.1 (Ministry for the Environment, revised 2021) or updated version</u> (d) <u>Account for the soil contamination profile as detailed in the DSI required by condition 7.</u> (e) <u>Detail methods to manage stockpiling of excavated soils containing elevated levels of contaminants. Stockpiling of material containing separate phase hydrocarbons or odorous petroleum hydrocarbons must not take place</u> (f) <u>Detail methods to manage any perched groundwater or surface run-off water encountered within excavation areas where soils containing elevated levels of soil contaminants are present.</u> (g) <u>Include an accidental discovery protocol.</u> <u>Site Validation Report</u> <u>7C. Within three months of the completion of earthworks in an area where the CSMP identifies that remediation is required, a Site Validation Report (SVR) must be submitted to the Council for information. The SVR must be prepared in accordance with the requirements of section 2.8 of CLMG1. 12.3. The SVR must include:</u> (a) <u>A summary of the works undertaken;</u> (b) <u>The location and dimensions of the excavations (of contaminated soils) carried out, including a relevant site plan, and records of where any contaminated soil is to remain on site;</u> (c) <u>Records of any unexpected contamination encountered during the Project Works;</u> (d) <u>Soil sampling / validation results where remediation has been carried out or where unexpected contamination has been encountered;</u> (e) <u>The locations and dimensions of excavations and the volume of soil excavated and records/evidence of the appropriate disposal for any material removed from the site; and</u>

Commented [A10]: Agreed with NZTA.

		(f) The requirements for any ongoing monitoring and management if any contaminated soil remains within the Designation Boundary. (g) Conditions of the final site contamination profile, including details and results of any validation testing undertaken (with a map of sampling locations and tabulated sampling results) and interpretation of the results; (h) Records/evidence of the appropriate disposal for any material removed from the site; and (i) Records of any unexpected contamination encountered during the works and response actions, if applicable. (j) Where a DSI prepared in accordance with Condition 7(a) above confirms the likely presence of contaminated soils, a SQEP shall prepare a Contaminated Soils Management Plan (CSMP). The purpose of the CSMP is to identify measures to manage potential risks from disturbance of contaminated soils to the health of workers and the environment. (k) The CSMP shall contain procedures that are appropriate to mitigate the risks to the environment from the type, concentration and extent of contamination that was confirmed as likely being present during the DSI. (l) If the CSMP identifies contaminated soils requiring remediation within the Site, the Consent Holder must prepare a Remedial Action Plan. The purpose of the Remedial Action Plan is to identify a remedial strategy and controls to mitigate the risk posed by any contaminants identified in the CSMP. (m) The Remedial Action Plan shall include: (i) The remediation or management goal; (iii) Remediation methodology, including the rationale; (iv) Contingency measures if the remediation methodology fails to reach the remediation or management goal; and (ii) Site validation sampling plan and reporting.
--	--	---

Reference	Number	Condition
STORMWATER		
DISXXXX, LUCXXX, WATXXX	8. (<i>Augier</i> condition)	(a) The Consent Holder shall must design the Project to direct all stormwater from impervious surfaces constructed for the Project to a stormwater treatment system before it is discharged to the environment. (b) The stormwater treatment system shall must be designed to achieve a minimum of 75% total suspended solids removal.
DISXXXX	9.	(a) The Consent Holder shall must design the Project so that the discharge of stormwater from the Project does not increase stream velocity downstream of the stormwater outfall by more than 5% in a 95 percentile storm event. (b) Prior to construction, the Consent Holder must provide to Council for information a summary technical note prepared by a SQEP demonstrating compliance with (a) above.
DISXXXX, LUCXXX, WATXXXX	10.	Within three months of completion of construction works, the Consent Holder shall must provide as-built plans of the stormwater management system for the Project to the Council.
WORKS IN WATERCOURSES		
LUSXXX	11.	Tōtara Creek The Consent Holder shall design the Project so that it does not permanently divert or reclaim the bed of the Tōtara Creek as shown in Schedule C.
LUSXXX	X.	Streamworks <i>Method Design Statement</i> Prior to any streamworks commencing for each new culvert, culvert extension, stormwater outfall or bridge structure, a Streamworks Method Design Statement (SMDS) and accompanying design drawings must be provided to the Council. The purpose of the SMDS is to ensure key structure design elements that avoid or minimise adverse effects on the stream bed are met. The SMDS must include: (a) The angle of discharge from the outfall(s) to the stream bed to confirm that the outfall(s) are constructed at an angle that avoids erosion and scour of the

Commented [A11]: Agreed with NZTA.

Commented [A12]: Deletion agreed with NZTA.

Commented [A13]: Condition not agreed. Instead of the "Final Outfall Design", "Final Culvert Design" and "Final Bridge Design" conditions (27 – 29) in Attachment 2 to the parties' joint 26 June 2026 memo, Council proposes this SMDS condition.

		stream bed at the discharge point. (b) Confirmation of the location of outfall(s) and that where possible, the outfalls have been located outside of the stream bed to minimise stream bed erosion. (c) Final culvert design details that confirm the overall length of new culverts and/or culvert extension(s) have been designed to the minimum extent practicable, to minimise stream bed loss and modification. (d) The level of fish passage proposed through each new culvert and/or culvert extension and, where a reduction in fish passage is proposed, provide detail on how the provision for fish passage can be improved or retrofit where possible. This is to ensure that the culvert extensions will not result in fish passage impediments that do not currently exist, and new culverts provide for fish passage improvements. (e) Final length of erosion and scour protection associated with each structure, that confirms it has been designed to the minimum extent practicable, to minimise stream bed modification. (f) Final bridge designs that demonstrate the bridge structures including abutments and piles will not be constructed within the stream or riverbed.
DISXXX, LUCXXX, WATXXX, LUSXXX	12.	Scour Protection (a) The Consent Holder shall design scour protection for the Project in accordance with Technical Report 2013/018 (Auckland Council 2013) for the following: (i) Stormwater outfalls using 176mm for the 10% AEP 24-hour rainfall depth that includes a 2.4 degree Celsius increase in temperature for climate change. (ii) Culvert inlets and outlets using 332mm for the 1% AEP 24-hour rainfall depth that includes a 3.8 degree Celsius increase in temperature for climate change.
DISXXX, WATXXX, LUCXXX	13.	Fish Passage Fish passage shall be provided in all new culverts unless deemed by a <u>SQEP</u> to be -(a)- unnecessary because: (i) there is no upstream fish habitat; or (ii) there are other <u>naturally</u> existing barriers to fish passage; or (b)- impracticable. Advice note: This condition does not apply to culvert extensions or any culvert that complies with the conditions in regulation 70 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.
ECOLOGICAL MANAGEMENT		
LUCXXX	14.	Terrestrial Native Vegetation Removal (a) If <u>native</u> vegetation within the Designation is removed in the SEAs shown in Schedule D, in a coastal margin, <u>in a natural inland wetland or its buffer</u>, or in a riparian margin, the Consent Holder shall must: (i) for temporary construction works, plant <u>ecosystem appropriate</u> native vegetation in those areas where vegetation was removed.

Commented [A14]: Deletion not agreed by NZTA.

Commented [A15]: Changes not agreed by NZTA.

Commented [A16]: Changes not agreed, with the exception of the reference to "eco-sourced" planting.

Reference	Number	Condition
-----------	--------	-----------

		(ii) for permanent <u>habitat loss</u> works, plant an equal area (in m²) <u>provide a Biodiversity Accountancy Model (BOAM) and implement the outcomes of the BOAM.</u> (iii) <u>within a SEA, coastal margin or riparian margin:</u> A. <u>within the Designation; or</u> B. <u>within 1500m of the boundary of the Designation.</u> (b) <u>Any mitigation planting undertaken in accordance with Condition 15 can also be counted as mitigation planting under Condition 14 for removal of vegetation in riparian margins. The vegetation removal must account for staging of the construction.</u> (c) For planting under (a) the Consent Holder <u>shall must:</u> - engage a <u>SQP SQEP</u> to <u>advise demonstrate compliance with the following: eco-system specification, appropriate on</u> location and determine plant species and <u>eco-sourcing</u>, density and sizing, <u>in accordance with the guidelines detailed in Te Haumanu Taiao;</u> - undertake <u>eco-sourced</u> planting within the first planting season following completion of construction <u>where practicable;</u> - undertake pest <u>animal and</u> plant control for a five year period; and - monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).
	X.	<u>Tree Removal</u> An Arboricultural report prepared by a suitably qualified and experienced Arborist must be prepared and submitted to the Council for certification prior to the commencement of construction. The report must include detail to demonstrate that tree impacts on mature specimens are avoided, minimized and reduced through retention in the first instance, and provide for mitigation or offset planting to ensure there is no net loss of canopy coverage within the different habitats and areas including; SEAs, riparian margins, and coastal margins. Construction works must not commence until Council has certified that there will be no net loss of canopy cover within each of the habitats.

Commented [A17]: Condition not agreed by NZTA.

LUCXXX	15.	Works in Watercourses (a) If native vegetation is permanently removed for bridging of a watercourse, the Consent Holder shall plant the riparian margin of: (i) the same stream; or (ii) another stream that intersects the Designation. (b) The area of riparian margin planting under (a) shall be no less than the area of the permanent vegetation removal. (c) For any new (including extension of) permanent culverts and stormwater outfalls in a watercourse, the Consent Holder shall <u>must undertake an evaluation of the impact using the Stream Ecological Valuation (SEV) and Environmental Compensation Ratio (ECR) methodology and implement the outcomes, plant the riparian margin of:</u> (i) the same stream; or (ii) another stream that intersects the Designation. (d) The riparian margin planting under (c) shall be 1.5x the length of the watercourse occupied by the culvert or outfall and a minimum of 5m wide on each side of the watercourse (from the edge of the channel). (e) Any mitigation planting undertaken in accordance with Condition 14 for removal of vegetation in riparian margins cannot <u>can also</u> be counted as mitigation compensation <u>planting for the stream loss and modification</u> under Condition 15. (f) For planting under (a) and (c) the Consent Holder shall <u>must</u>: (i) engage a SQP SQEP <u>to demonstrate compliance with the following: eco-system specification, appropriate advise on</u> location and determine plant species and sourcing, density and sizing; (ii) undertake eco-sourced <u>planting within the first planting season following completion of construction where practicable;</u> (iii) undertake pest plant control for a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).
LUCXXX	16.	Native Birds If <u>vegetation clearance within open space, an SEA(s), a coastal margin(s) or a riparian margin(s) (excluding vegetation on land zoned residential)</u> is to occur during the native bird nesting period (September to February inclusive), the Consent Holder shall <u>must</u> engage a SQEP to: (a) Undertake native bird nesting surveys before vegetation is cleared (b) If active native bird nests are found, identify <u>the following</u> set back distances for construction works until the young birds have fledged or the nest is naturally abandoned: • <u>a 50m set back distance if Threatened or At-Risk active wetland bird nests are found; and</u> • <u>A 20m set back distance for other active native bird nests.</u>
LUSXXX	17.	Fish Salvage and Relocation Native Fish Capture and Relocation Plan (a) The Consent Holder shall salvage and relocate native freshwater fish and kākahi to the extent practicable prior to any dewatering or diversion in a

Commented [A18]: Changes not agreed by NZTA.

Commented [A19]: Agreed with NZTA. Related definition added above.

Commented [A20]: Changes not agreed by NZTA.

Reference	Number	Condition
		section of a watercourse that a SQP determines supports a population of native fish. (b) The salvaged native fish and kākahi should be relocated within the same stream with similar hydrological conditions or other suitable habitat determined by a SQP. (a) <u>Prior to the commencement of any streamworks, a Native Fish Capture and Relocation Plan must be submitted to the Council for certification. The purpose of the Native Fish Capture and Relocation Plan is to ensure</u>

		<u>fish will be appropriately removed prior to commencement of works from an area subject to the streamworks, to avoid fish mortality. The Native Fish Capture and Relocation Plan must be prepared by a suitably qualified and experienced Freshwater Ecologist and include the following detail, but not be limited to:</u> <u>i) Methodologies to capture fish within the impacted streams, ponds and wetland habitats, or justification there is no habitat for native fish present at the time of works;</u> <u>ii) Fishing effort;</u> <u>iii) Details of the relocation site;</u> <u>iv) Storage and transport measures including prevention of predation and death during capture;</u> <u>v) Euthanasia methods for diseased or pest species; and</u> <u>vi) Confirmation on the habitat availability of the relocation site to support fish at the time of streamworks.</u> (b) <u>Native fish capture and relocation must be undertaken in accordance with the certified Native Fish Capture and Relocation Plan, and must only be undertaken by a suitably qualified and experienced freshwater ecologist. The freshwater ecologist must also be onsite during the dewatering process to ensure that any remaining native fish that is not caught during de-fishing are salvaged.</u> (c) <u>The consent holder must provide a Fish Salvage Report detailing the relocation site, the species and number of freshwater fauna relocated prior to and during dewatering, to the Council within 5 days of completion of the native fish capture and relocation. These results must be uploaded into NIWA's New Zealand native freshwater Fish database.</u>
LUCXXX	18.	<i>Bat management</i> Prior to the removal of any trees in the area shown in Schedule E that, in the opinion of a <u>SQEP SQP</u>, may be used as roost for bats, then the Consent Holder shall <u>must</u> apply the Department of Conservation Bat Roost Protocols (Protocols for minimising the risk of felling occupied bat roosts October 2024) or updated version.
LUCXXX	19.	Kauri <i>Die-Back Management</i> (a) The Consent Holder shall <u>must</u> implement kauri dieback management measures for the kauri tree identified in Schedule F in the event that the kauri tree is present at the time of construction. (b) Kauri dieback management measures shall <u>must</u> be in accordance with <u>Standard Operating Procedures (Auckland Council, 2021) or updated version, provided that document is in force at the time of construction. Biosecurity Order 2022 (National Pest Management Plan for <i>Phytophthora agathidicida</i>) and the Auckland Regional Pest Management Plan 2020 — 2030 (Auckland Council, 2021) or updated versions.</u>
COASTAL PERMIT		

Commented [A21]: Changes agreed with NZTA

CSTXXXX	20.	<u>Coastal</u> Construction Management Plan (CCMP) (a) Prior to the commencement of works within the Coastal Marine Area (CMA), the Consent Holder shall must prepare a CCMP. The objective of the CCMP is to manage construction effects in the Coastal Marine Area. The CCMP shall must include; (i) Timing, staging and sequencing of coastal works (ii) A final construction methodology and plans of the temporary and permanent structures within the CMA (iii) The route to be used for accessing the <u>Site site</u> for construction purposes (iv) Methods <u>for minimising the removal/pruning of mangroves</u> and, when removing mangroves, they to ensure that, where practical, when removing mangroves, mangroves are cut as close to the sediment as possible and leave root masses <u>are left</u> intact where possible; (v) Methods to maintain a safe navigation channel where practicable past the works site, and <u>how</u> periods where navigation past the site may be restricted, and how this will be communicated to affected channel users. (vi) The construction footprint, demarcating those areas in the CMA and coastal edges which need to be physically marked onsite, with access (for vehicles and staff) restricted to the footprint; (vii) Contingency plans in case of discharges to the <u>CMA coastal marine area</u> during works; (viii) General site management, including details of: (A) the bunding or containment of fuels and lubricants to prevent the discharge of contaminants; (B) methods to ensure that any equipment or machinery to be stored on the temporary staging is appropriately secured above mean high water springs, and methods to ensure that no spills into the <u>CMA coastal marine area</u> will occur; (ix) methods to maintain or restrict public access to and along the <u>CMA coastal marine area</u> while the activities are being carried out, <u>and how access restrictions will be communicated to affected members of the public</u>; (x) A removal methodology for temporary platform and piles extraction, for mangrove removal and <u>for the disposal for of</u> cleared mangroves and <u>all</u> spoil from drilling for piles, <u>to be outside of the CMA</u>; and (xi) Details of reinstatement upon completion of the activities in the CMA.
---------	-----	---

Commented [A22]: Agreed with NZTA.

Reference	Number	Condition
CSTXXXX	21.	<i>Bridge Crossings of Henderson and Huruwhiri Creek</i> The Consent Holder shall must design the permanent bridge crossings of Wai-o-Pareira / Henderson Creek and Huruwhiri Creek so that the minimum freeboard height of any bridge soffit above mean high water springs is no less than that of the existing adjacent SH16 bridges that cross these watercourses.
CSTXXXX	22.	<i>Permanent Occupation</i> The Consent Holder shall must provide as built plans of all structures occupying the CMA to the <u>Manager Council</u> within 3 months of the completion of construction. <u>The exclusive occupation of the common marine and coastal area is limited to the busway structure(s) and any other area necessary for the primary purpose of the busway structure(s).</u>

Commented [A23]: Agreed with NZTA.

Te Ara Hauāuru Northwest Rapid Transit



X.	Underwater noise The consent holder must implement the following measures where practicable as below to minimise the underwater noise during impact driving and vibratory piling: (a) Use piling methods that minimise underwater noise e.g.: 'soft starts' (gradually increasing the intensity of impact piling); (b) Use a non-metallic 'dolly' or 'cushion cap' between the impact piling hammer and the driving helmet (e.g. plastic or plywood); (c) Not commencing or stopping piling (generation of underwater noise) if a marine mammal is identified within 220m from the site; and (d) Only undertake piling (generation of underwater noise) when marine mammals are not present within 220m from the site
	Review condition Under section 128 of the RMA the conditions of this consent may be reviewed by the Council at the consent holder's cost: (a) At any time within 6 months of commencing work on a stage of the project; or (b) Otherwise, every two years on the anniversary of the grant of consent, to deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage. This includes but is not limited to potential adverse effects on the coastal environment or surrounding structures.
	Groundwater conditions To be drafted / included
	Industrial and Trade Activities Advice note: It is assumed that any construction laydown areas comply with E33.6.1.2 of the AUP (Discharge from an industrial or trade activity area). If not, resource consent may be required under Table E33.4.2(A12).

Commented [A24]: Not agreed with NZTA.

Commented [A25]: Not agreed by NZTA.

Commented [A26]: Not agreed. There remains a difference in opinion between the specialists re the methodology for determining settlement effects, and sufficiency of information. Council considers conditions are needed, but that it's premature to settle them absent further information etc. Conditions are likely to include, but not be limited to, a Ground Settlement Monitoring & Contingency Plan condition.

Commented [A27]: Not agreed by NZTA.